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SUPPLEMENT TO
THE ANNALS OF THE AMERICAN ACADEMY OF POLITICAL
AND SOCIAL SCIENCE
JULY, 1909

The Consumer's Control of Production:
The Work of the
National Consumers' League

PHILADELPHIA
THE AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE
1909

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NATIONAL CONSUMERS' LEAGUE

Tenth Report, for Two Years ending March 2, 1909.

OFFICERS

President	Mr. John Graham Brooks 8 Francis Ave., Cambridge, Mass.
Vice-President	Mrs. Frederick Nathan 162 West 86th St., New York City
Vice-President	Mrs. H. M. Wilmarth Auditorium Annex, Chicago, Ill.
Vice-President	Mrs. Frederick C. Howe Cleveland, Ohio
Vice-President	Mrs. B. C. Gudden 25 Mt. Vernon St., Oshkosh, Wis.
Vice-President	Miss Jean Gordon 1800 Prytania St., New Orleans, La.
Vice-President	Mrs. B. H. Trumbull 305 Jefferson St., Portland, Ore.
Vice-President	Mrs. R. P. Halleck 1154 Third St., Louisville, Ky.
Treasurer	Mr. G. Hermann Kinnicutt 105 East 22d St., New York City
Recording Secretary	Mrs. G. W. B. Cushing 50 Munn Ave., East Orange, N. J.
General Secretary	Mrs. Florence Kelley 105 East 22d St., New York City

FINANCE COMMITTEE.

Mr. Robert Shaw Minturn.....	116 East 22d St., New York City
Miss Helen Phelps Stokes.....	230 Madison Ave., New York City
Mr. A. S. Frissell	530 Fifth Ave., New York City
Miss Mary R. Sanford, Secretary.	152 East 35th St., New York City
Mr. G. Hermann Kinnicutt.	

LABEL COMMITTEE.

Mrs. Frederick Nathan.	
Mrs. G. W. B. Cushing.	
Mrs. V. G. Simkhovitch.....	26 Jones St., New York City

Mr. Francis McLean, Chairman...105 East 22d St., New York City
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Dr. Henry R. Mussey Columbia University, New York City
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Miss Josephine C. Goldmark, Secretary,
105 East 22d St., New York City

Mr. Arthur P. Kellogg.....105 East 22d St., New York City

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Professor E. R. A. Seligman.....	Columbia University
Professor J. W. Jenks.....	Cornell University
Professor H. C. Adams.....	University of Michigan
Professor C. R. Henderson.....	University of Chicago
Professor S. McCune Lindsay.....	Columbia University
Professor Richard T. Ely.....	University of Wisconsin
President Caroline Hazard.....	Wellesley College
President Mary E. Woolley.....	Mt. Holyoke College
President J. M. Taylor.....	Vassar College

E. E. Slosson, Ph.D.

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CONSTITUTION

ARTICLE I

NAME.

The name of the Society shall be the National Consumers' League.

ARTICLE II

OBJECT.

It shall be the special object of the National Consumers' League to secure adequate investigation of the conditions under which goods are made, in order to enable purchasers to distinguish in favor of goods made in the well-ordered factory. The majority of employers are virtually helpless to maintain a high standard as to hours, wages and working conditions under the stress of competition, unless sustained by the co-operation of consumers; therefore, the National Consumers' League also proposes to educate public opinion and to endeavor so to direct its force as to promote better conditions among the workers, while securing to the consumer exemption from the dangers attending unwholesome conditions. It further proposes to promote legislation, either state or federal, whenever it may appear expedient. The National Consumers' League further recognizes and declares the following:

That the interests of the community demand that all workers shall receive fair living wages, and that goods shall be produced under sanitary conditions.

That the responsibility for some of the worst evils from which producers suffer rests with the consumers who seek the cheapest markets, regardless how cheapness is brought about.

That it is, therefore, the duty of consumers to find out under what conditions the articles they purchase are produced and distributed, and insist that these conditions shall be wholesome and consistent with a respectable existence on the part of the workers.

ARTICLE III

MEMBERSHIP.

Section 1. *Eligibility*—There shall be five classes of members: State League, Individual, Associate, Sustaining and Life. Any

State Consumers' League may become a member of the National League by accepting the Constitution and By-Laws, and by paying its quota to the general treasury. In any state in which there is no State Consumers' League the President shall appoint a State Organizer, who shall carry on the work of the organization and who shall become ex-officio member of the State League for the remainder of the year in which such new League may be formed. Persons residing in localities in which there is no State or Local League may become Individual Members of the National Consumers' League by paying a yearly due. They will receive reports, but will not have the privilege of voting.

Sec. 2. *Dues*—Each State Consumers' League shall pay to the Treasurer of the National Consumers' League, before the first of each January, for the ensuing year, the sum of ten cents per capita for each and every member of each and every Consumers' League affiliated with it. Each new State Consumers' League shall pay to the National Consumers' League a minimum sum of ten dollars. Each State Organizer shall pay to the Treasurer of the National Consumers' League the sum of one dollar each year. Individual members of the National Consumers' League shall pay a yearly due of not less than one dollar. Any person may become an Associate Member by paying five dollars annually, or a Sustaining Member by paying twenty-five dollars annually. The payment of one hundred dollars at one time constitutes Life Membership.

ARTICLE IV

OFFICERS AND COUNCIL.

Section 1. The officers of the League shall be President, three or more Vice-Presidents, Recording Secretary, General Secretary, and Treasurer.

Sec. 2. The control and management of the affairs and funds of the National Consumers' League shall be vested in a central governing body, which shall be known as the Council. The membership of the Council shall consist of the officers of the National Consumers' League and representatives from the State Consumers' Leagues. The officers of the National Consumers' League shall be elected by ballot at the annual meeting. A Nominating Committee, appointed at the previous meeting, shall prepare a list of

nominees to each office, and the ballot shall be sent to each State Secretary in the January preceding. Any State League may propose names that shall be printed on the list. The officers and *two* representatives of each State Consumers' League shall constitute the Executive Committee of the Council.

Sec. 3. *Election*—At the annual meeting of the Council the officers of the National Consumers' League shall be elected to serve for the ensuing year.

Sec. 4. *Vacancies*—A vacancy in any office may be filled by the President, with the consent of a majority of the officers.

ARTICLE V

MEETINGS.

Section 1. The annual meeting of the Council shall be held on the first Tuesday in March, or on the following day, when the first Tuesday is a legal holiday.

Sec. 2. The Executive Committee shall meet annually before the annual meeting of the Council, and shall prepare a report of the condition of the National Consumers' League to submit to the annual meeting of the Council. It shall also meet at such other times as shall seem necessary, to appropriate money and transact routine business. It shall further make such recommendations and suggestions as may from time to time seem desirable.

Sec. 3. Special meetings may be called at any time by the President or by a two-thirds vote of the Executive Committee.

ARTICLE VI

AMENDMENTS.

This Constitution may be amended by a two-thirds vote at any annual meeting of the Council, notice of such amendment having been submitted to the Secretary of the various State Consumers' Leagues at least two months before the annual meeting, or by a unanimous vote at the annual meeting of the Council.

BY-LAWS

ARTICLE I

DUTIES OF OFFICERS.

Section 1. *President*—The President shall be ex-officio a member of all committees; shall sign all written obligations of the League, and shall perform all such duties as usually pertain to that office. In the absence of the President his duties may be performed by the Vice-Presidents in their order; or, in the absence of the Vice-Presidents, a chairman may be elected for the occasion.

Sec. 2. *Recording Secretary*—The Recording Secretary shall attend all meetings of the Council and of the Executive Committee, and shall keep the minutes of the League and the Executive Committee.

Sec. 3. *General Secretary*—The General Secretary shall give notice of the time and place of meetings, inform new members of their election, keep a list of all State Leagues belonging to the National League, and of all Individual Members, and conduct the correspondence of the League. She shall have custody of all books, papers and pamphlets of the League, and take charge of such distribution of them as the Executive Committee may decide, and shall perform all duties usually appertaining to the office.

Sec. 4. *Treasurer*—The Treasurer shall hold all funds of the League, and shall deposit the same, in the name of the League, in such bank or trust company as the Executive Board shall direct. He shall pay out money only by check and as directed by the Executive Committee. He shall keep a correct account of all money received and expended, render reports of the condition of the treasury at the meetings of the Executive Board, and make a full audited report of the financial condition of the League at the annual meeting. The Treasurer shall be ex-officio a member of the Finance Committee.

ARTICLE II

STANDING COMMITTEES.

The Chairmen of all Standing Committees shall be appointed by the President, their term of office to continue until such time as a successor can be appointed, each Chairman to form his own committee, subject to the approval of the President. The Standing Committees of the League to be as follows:

1—*Committee on Finance.* The Committee on Finance shall have charge of the finances of the League, shall secure donations, make suggestions as to the possible ways of obtaining funds, and do all in its power to add to the financial support of the League. The Chairman shall prepare a budget for the year, in conference with the General Secretary and Treasurer, which shall be presented at the annual meeting.

2—*Committee on Label.* The Committee on Label shall investigate all applications for the National Consumers' League label, and report to the Executive Committee how far each applicant complies with the standards maintained by the League.

3—*Committee on International Relations.* The Committee on International Relations shall keep informed of all work along the lines of the Consumers' League done in other countries; shall correspond with the officials or those interested in the work in other countries, to gain an interchange of ideas and methods of work; also to bring about, so far as possible, co-operation between organizations in all countries of the world interested in the objects of the Consumers' League. It shall study international aspects of the work, and endeavor to bring into closer touch the various European and American Leagues.

4—*Committee on Legislation and Legal Defence of Labor Laws.* The Committee on Legislation shall keep informed and report to the Executive Committee all legislation concerning the objects in which the National Consumers' League is interested; also all bills in any way affecting industrial conditions which are liable to come before the legislatures. They shall further be empowered (subject to the approval of the Executive Committee) to draft bills or seek legislation in any way helpful to the work of the National Consumers' League, and shall assist in the defense of the laws by supplying additional legal counsel or other assistance.

5—*Committee on Publication.* The Committee on Publication shall have charge of the printing of all reports of the National Consumers' League and all other leaflets or literature which the Executive Committee decide to have published. It shall have published in magazines and newspapers, whenever practicable, articles relating to the work of the League.

6—*Committee on Lectures.* The Committee on Lectures shall arrange meetings to be held in the interest of the League; shall

secure speakers, who will go about from place to place and explain the principles, objects and aims of the National Consumers' League; also, as far as possible, interest people in the formation of new Leagues.

ARTICLE III

BRANCHES.

Branches of the National Consumers' League may be formed in any State or Territory of the United States. Each Branch shall be called a State or Territorial League, and shall control its own funds, elect its own officers, fix its own fees and dues, and manage its own affairs. Each State or Territorial Branch is allowed to have two representatives on the Executive Committee. Each State or Territorial Branch shall be represented at the annual meeting of the Council by the President and one delegate at large or by their alternates, and by delegates from each Individual League in proportion to its membership—one delegate for Leagues numbering one hundred or less, and an additional delegate for every additional one hundred members.

ARTICLE IV

ANNUAL MEETING.

The Annual Meeting, as described in Section 1, Article IV, of the Constitution, shall be held, as far as possible, in the East, South and West in alternation.

ARTICLE V

AMENDMENTS.

These By-Laws may be amended at any regular or special meeting of the League by a majority vote of the members present, provided that the intended amendment shall have been previously approved by the Executive Committee and that notice of the proposed amendment shall have been appended to the call for the meeting at which such amendment is to be acted upon.

THE NINTH ANNUAL SESSION OF THE COUNCIL

The ninth annual session of the Council of the National Consumers' League was held in Wilmington, Delaware, on March 3, 1908, at 3 o'clock. In the absence of the president, the first vice-president, Mrs. Frederick Nathan, in the chair. There were present representatives from seven states:

Connecticut—Miss R. D. Beach.

Delaware—Miss E. P. Bissell, Mrs. L. C. Vandergrift, Mrs. E. G. Robinson, Miss M. H. Shearman.

Maryland—Mrs. B. W. Corkran, Mrs. B. H. Smith.

New York—Mrs. F. Nathan, Miss H. P. Stokes, Miss M. R. Sanford, Miss Russell, Mrs. Phillips, Miss Goldmark, Miss Ainslie.

New Jersey—Mrs. G. W. B. Cushing.

Oregon—Miss M. Montgomery.

Pennsylvania—Mrs. W. J. Askin, Mrs. S. B. Weston, Miss A. C. Watmough, Miss W. E. Grubb.

The treasurer's report was read and accepted.

The general secretary reported two very important things done this year: winning the Oregon case, *Curt Muller vs. State of Oregon*, and carrying out the resolution of last year regarding investigation of conditions of working women and children.

In this investigation co-operation by State Leagues had not proved helpful. Successful comprehensive investigation carried out on a basis of voluntary co-operation seemed impossible. The investigation so far as it had gone had been carried on by one of the office staff of the National League.

Miss Stokes moved "That the secretary's report be accepted." Carried.

Miss Watmough moved "That the investigation by Miss Ainslie into the living conditions of working women and girls be continued during the present year." Carried.

Miss Bissell moved "That the Council recommend that the various leagues carry on investigations during the coming year on the basis of the schedule prepared by the National League." Carried.

In the absence of Miss Lakey, Mrs. Kelley gave the report of

the Food Committee. Miss Watmough moved "That this report be received." Carried.

Miss Stokes moved "That the resolutions embodied in the Food Committee's report be discussed one by one." Carried.

Whereas, It is of the utmost importance for the proper enforcement of the Food and Drugs Act of June 30, 1906, and of the several state food acts, that there shall be uniform food standards whereby the manufacturer, seller, buyer and control official, national or state, may have identical bases of judgment; and

Whereas, The work so ably accomplished in the past by the Joint Committee on Standards of the Association of State and National Food and Dairy Departments, and the Association of Agricultural Chemists, in determining what these bases of judgment should be, is of great scientific value and should be continued by said joint committee until all foods are standardized; and

Whereas, The Food and Drugs Act of June 30, 1906, imposes upon the Secretary of Agriculture the duty of determining what can be properly regarded as pure, unadulterated, properly branded foods; be it

Resolved, That the Secretary of Agriculture be urgently requested to use all reasonable efforts to secure the enforcement of the food standards already adopted or that may be adopted by the joint committees on standards of the Association of State and National Food and Dairy Departments and the Association of Official Agricultural Chemists.

Miss Stokes moved "That the preamble and first resolution be adopted." Carried.

Resolution 2

Resolved, That the United States Government be requested to call an International Pure Food Congress to consider uniform means for dealing with food and drug adulteration and misbranding.

Mrs. Phillips moved "The adoption of the second resolution." Miss Stokes amended, by omitting the word "uniform." Carried as amended.

Resolution 3

Resolved, That the National Consumers' League respectfully point out to the governors and to the state legislatures of the various states the urgent need for legislation and for appropriations to provide for the inspection of slaughter houses and the inspection of all animals before and after slaughter.

Miss Sanford moved "To recommend resolution 3 to State Leagues." Carried.

Resolution 4

Resolved, That attention be also directed to the need of inspection to prevent the sale of milk from diseased animals and to eradicate tuberculosis and other diseases from dairy animals and to quarantine the states against the bringing in of any cattle infected with tuberculosis.

Mrs. Weston moved "To recommend resolution 4 to State Leagues." Carried.

Resolution 5

Resolved, That the National Consumers' League endorses the work of Commissioner E. F. Ladd, of North Dakota, to have bleached flours labeled so that the consumers may know when low grades of flour have been bleached to resemble the better grades.

Mrs. Weston moved "That resolution 5 be laid on the table." Carried.

Mrs. Weston moved "That the National Consumers' League protest against the misuse which the United States Department of Agriculture permits of the guarantee clause in the national pure food law." Carried. The League respectfully points out that this guarantee clause was intended solely as a rule of evidence to enable dealers to prove when they have handled foods in good faith believing such foods to be pure. Under a ruling, not provided or intended in the act, all kinds of food and drug adulteration now appear on the market "Guaranteed under the Food and Drugs Act of June 30, 1906, Serial No. . .," making it seem that such articles are guaranteed by the government.

Report of Finance Committee read and accepted.

Label Committee, International Committee and Lecture Committee reported progress.

Mrs. Askin moved "That Section 4, Article II, of the By-Laws be amended, by adding to the title of the Committee on Legislation the words 'and on Legal Defense of Labor Laws,' and that the words 'and shall assist in the defense of the laws by supplying additional legal counsel or other assistance,' be added to this section." Carried.

Mrs. Nathan moved "That some of the Women's Colleges be represented among our Honorary Vice-Presidents." Carried.

Mrs. Askin, Chairman of Nominating Committee, reported the following nominations:

President, Mr. John Graham Brooks.

First Vice-President, Mrs. Frederick Nathan.

Second Vice-President, Mrs. Mary H. Wilmarth.

Third Vice-President, Mrs. M. R. Trumbull.

Treasurer, Mr. G. Herman Kinnicutt.

Recording Secretary, Mrs. G. W. B. Cushing.

General Secretary, Mrs. Florence Kelley.

Chairman Finance Committee, Mr. Herbert L. Satterlee.

Report adopted and Secretary requested to cast an affirmative ballot for these officers.

Mrs. Nathan named for Nominating Committee for 1909: Mrs. Corkran, Maryland; Miss Bissell, Delaware; Miss Bradford, New Jersey.

Mrs. Phillips moved "That the Delaware League be thanked for its hospitality." Carried.

Miss Sanford moved "That a vote of thanks be given to the New Century Club." Carried.

Miss Stokes moved, and Miss Montgomery, of Oregon, seconded the motion, "That the Council of the National Consumers' League at its annual meeting on March 3, 1908, vote that Mr. Louis D. Brandeis be thanked for his work in the case of *Curt Muller vs. the State of Oregon*." Carried.

The evening session of the Council was held in the New Century Club and was a public meeting. Mrs. Frederick Nathan presided and the meeting was addressed by Mr. Henry R. Mussey and Mr. Scott Nearing, of the University of Pennsylvania, and by the General Secretary.

THE TENTH ANNUAL SESSION OF THE COUNCIL

The tenth annual session of the Council of the National Consumers' League was held in Providence, Rhode Island, on March 2, 1909, at 2 o'clock. In the absence of the President, Mr. Brooks, the first Vice-President, Mrs. Frederick Nathan, in the chair. The roll call showed representation from seven states and three college leagues:

Massachusetts—Mrs. Sherwin, Miss Howes, Miss Harris and Mr. Bradley.

New York—Miss Stokes, Miss Sanford, Mrs. Phillips, Miss Kendall, Mrs. Nathan, Miss Utley, Miss Ainslie, Miss Goldmark, Miss Watson, of Utica.

Rhode Island—Mrs. Barus, Mrs. Eaton.

Pennsylvania—Mrs. Weston.

Maine—Mrs. Richards.

Connecticut—Mrs. Wallace.

Michigan—Miss Sibley.

Wellesley College—Miss Savage.

Mt. Holyoke College—Miss Olcott and Miss Peck.

Smith College—Miss Kimball and Miss Sperry.

The minutes of the last annual session of the Council were read and accepted.

The report of the Treasurer was read and accepted.

The Finance Committee reported progress.

The Publication Committee's report was given by Miss Josephine Goldmark. The Russell Sage Foundation had given funds for an investigation into the literature concerning the health of working women. This investigation shows that the medical literature on fatigue throws much light on the need of reducing women's working hours, as a health measure. It is hoped that the results will be published and furnish valuable material for legislative work and judicial decisions affecting labor laws. Miss Goldmark submitted the following resolutions:

Whereas, the fifteenth International Congress of Hygiene and Demography is to be held in the United States in 1910, and at the last meeting of the Congress in Berlin, the papers dealing with fatigue as a result of

occupation based on invalidity insurance records were of great value as scientific arguments for reducing working hours, and since such discussions on American data do not exist,

Resolved, that the National Consumers' League respectfully requests the appropriate committee to invite American physicians and scientists to submit papers on this subject to the next International Congress. Carried.

Resolved, that the National Consumers League thank the trustees of the Russell Sage Foundation for substantial assistance which has made possible the investigation into the literature on the health of working women and urges the publication of such material as soon as the investigation is completed. Carried.

Miss Ainslie's investigation of earnings and expenses of working girls living away from home has been completed and put into literary form.

Miss Sanford moved "To print Miss Ainslie's report as a publication of the National Consumers' League or in some popular magazine." Withdrawn.

A substitute offered by Mrs. Weston was adopted, "That the matter be left to the Publication Committee, Mrs. Kelley, Mrs. Weston and Mr. Brooks being added for this occasion." Carried.

The Secretary reported that the present method of dealing with the sweating system had proved wholly insufficient, and more radical measures must be considered. She recommended that the Council ask the Commissioner of Labor of New York State to secure the introduction in the legislature of New York of a measure prohibiting manufacture in tenements in New York City, Buffalo and Rochester, New York City being still the great center of garment manufacture in the Western Hemisphere and the source of a never-failing stream of infected goods manufactured in tenements.

White lists were in use in New York, Philadelphia, Baltimore, Cleveland, Cincinnati and Albany. The Secretary recommended an appeal by the Council to the state and local leagues for the creation of white lists.

The absence of a deficit as shown by the Treasurer's report and of unpaid bills was due to the personal exertion of two members of the Finance Committee and to the policy pursued during the year of ordering no printing without having the money to pay for it. It is hoped that a new edition of the Handbook may be printed in 1910.

As the first consequence of the decision of the United States Supreme Court in the Oregon case, women employed by telephone,

telegraph, transportation companies, and mercantile establishments, have been put under the ten hours law in Oregon.

Miss Browne, Fellow of the College Settlements Association, whose services as investigator for the current year have been given to the National Consumers' League, has made studies of children found by the factory inspectors illegally at work in New York City. The information gathered will be printed in the summer, and it is hoped that it may afford a valuable method for stimulating factory inspectors and truant officers. Report accepted.

The report of the Lecture Committee was informally given by the General Secretary.

The Food Committee's report, in the absence of the chairman, Miss Lakey, was summarized by the Secretary as follows: Regular meetings of the committee had not been held, it had only met for special business. Its principal work had been drafting a slaughter house and meat inspection law, for use by the states.

Certain printed matter had been issued.

A concerted effort had been made to defeat the purposes of the federal pure food law. The congressional appropriation to continue the Referee Board was about to be voted upon. The Chairman therefore asked that the Council adopt a resolution and forward it to the Conference Committee of Representatives and Senators and to President-elect Taft, as soon as he should be inaugurated. The Chairman asked that the resolution endorsing Dr. Wiley adopted at the quarterly meeting of the Executive Committee on January 15th be now ordered sent to the President-elect and fifteen Senators named by her.

Mr. Martin, Treasurer of the Food Committee, reported a balance of \$10.25 in its treasury, with an unpaid printing bill of \$1.75. Report accepted.

Mrs. Phillips moved that telegrams be sent to the Congressional Conference Committee urging that the \$200,000 appropriation for the Referee Board of the Department of Agriculture be discontinued. Carried.

As Mr. McLean, the Chairman of the International Committee, was not present, Mrs. Nathan gave a brief oral report for the committee, naming the leagues and countries represented at the Conference of Consumers' Leagues held in Geneva in September, 1908. The Conference met in the aula of the University of Geneva by

invitation of the President of the Department of Education of the Canton. It was presided over by Mr. Auguste de Morsier, a member of the Swiss National Council. The Secretary was M. Jean Brunhes. The Consumers' Leagues of Switzerland, France, Germany and the United States were represented by delegates. There being no Consumers' League in England, that country was represented by delegates from the Anti-Sweating League. There were present to confer persons interested from England, France, Germany, Italy, Austria, Belgium, Russia and Spain. Among the subjects discussed were evening overtime work of women (night work for women in manufacture being forbidden after 10 p. m. except in Sweden), home work, minimum wage boards, trade organization, labor law enforcement, the chocolate industry, and an international label.

Mrs. Nathan suggested that minimum wage boards might be established in this country.

On motion, it was resolved "That the National Consumers' League recommends that state and local leagues study the subject of minimum wage boards with a view to a legislative campaign in 1910, and that the President be authorized to appoint a special committee of the National League to further this object." Carried.

A resolution was received from the Executive Committee meeting held on March 2d as follows:

Moved "That the Executive Committee recommend to the Council that it (1) ask Commissioner Williams, of New York, to introduce as an administration measure a bill to prohibit all manufacture in any tenement house in cities of the first class, and that the Council (2) authorize the Executive Committee to secure the introduction of such a measure in case Commissioner Williams takes no action in the matter."

After discussion this motion was amended on motion of Miss Stokes:

Moved "That the National Consumers' League recommend to Commissioner Williams, of New York, that he introduce as an administration measure a bill to prohibit all manufacturers, merchants, contractors, jobbers and all other corporations and persons from giving out any goods for manufacture in tenement houses in cities of the first class in the State of New York, and

Resolved that in case Commissioner Williams takes no action in the matter, the Executive Committee devise some means by which such a measure may be introduced." Carried.

Reports for their Leagues were given informally by delegates from New York State, Massachusetts, Pennsylvania, Detroit, Rhode Island, Smith, Wellesley and Mt. Holyoke Colleges.

The Nominating Committee presented the following officers for the ensuing year:

President, Mr. John Graham Brooks, Cambridge, Mass.

Vice-Presidents: Mrs. Frederick Nathan, New York.

Mrs. H. M. Wilmarth, Illinois.

Mrs. B. H. Trumbull, Oregon.

Mrs. Frederick C. Howe, Ohio.

Mrs. B. C. Gudden, Wisconsin.

Miss Jean Gordon, Louisiana.

Mrs. R. P. Halleck, Kentucky.

Treasurer, Mr. G. Hermann Kinnicutt, New York.

Recording Secretary, Mrs. G. W. B. Cushing, New Jersey.

General Secretary, Mrs. Florence Kelley, New York.

The Recording Secretary was instructed to cast one ballot for these officers.

The evening session of the Council was held in the Beneficent Congregational Church and was a public meeting. Bishop McVickar presided and the meeting was addressed by Mrs. Frederick Nathan, Mr. Robert A. Woods and the General Secretary.

REPORT OF THE SECRETARY

Two epoch-making events have occurred since the publication of the last report, one international, the other national. These are the International Conference of Consumers' Leagues at Geneva, Switzerland, in September, 1908, and the decision of the Supreme Court of the United States, in January, 1908 (known as the Oregon decision), in which the court established the principle that the Constitution of the United States is no barrier to the enactment by the states of laws restricting the working hours of adult women.

Details of these important occurrences may be found elsewhere in this report.

The National Consumers' League now embraces sixty-one Leagues in nineteen states: Connecticut, Delaware, Georgia, Illinois, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee and Wisconsin.

There are Consumers' Leagues in the following universities, colleges and boarding schools: The Universities of Wisconsin and Minnesota; Wellesley College, Bryn Mawr, Vassar, Smith, Mt. Holyoke, Swarthmore, Simmons and Milwaukee-Downer; and St. Agnes School, Albany, N. Y.; Lasell Seminary, Auburndale, Mass.; Dwight School, Englewood, N. J., and Mrs. Dow's School, Briarcliff Manor, N. Y. Of these, the Leagues at Smith, Minnesota and Briarcliff are new.

College leagues are delicate plants which need incessant cultivation as the seniors graduate and new classes come forward. The most stable one has been the Wellesley College League, because of the abiding interest on the part of Misses Coman, Balch, Scudder and other members of the faculty, who never let the interest of the students flag. At Bryn Mawr and Swarthmore the same influence is exerted by the Consumers' League of Philadelphia, whose active executive secretary cultivates among the students a perennial interest in the work of the League. At Milwaukee-Downer College Miss Sabin has for several years exercised a similar influence. In several colleges, on the other hand, promising Leagues have, during the past ten years, lapsed by reason of the indifference of the faculty,

where no League existed in the local community to stimulate the interest of the students. At Smith College, where a lively Consumers' League had thus lapsed, a new one has been constituted during the present year.

The list of manufacturers authorized to use the label now includes sixty-nine names in thirteen states: Illinois, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and Wisconsin. It is still true, as it has been for several years, and for the same reason, that more of these factories are to be found in Massachusetts than in any other state. The law protecting women is more stringent and more vigorously enforced than elsewhere. The closing hour for women in all branches of manufacture is set at ten o'clock and in textile industries at six o'clock in the evening for women and minors under the age of eighteen years. Everywhere one great obstacle to the use of the label is the desire of employers to use overtime work. In Massachusetts this obstacle is removed by law.

WORKING HOURS OF ADULT WOMEN

A service of incalculable value to wage-earning women in the United States was rendered conjointly by the National Consumers' League, the Consumers' League of Oregon and Mr. Louis Brandeis, of Boston, Mass., who generously gave his services as counsel in the case of *Curt Muller vs. the State of Oregon*. In this case, the Supreme Court of the United States sustained (February 24, 1908) the validity of the Oregon statute which provides that "no female shall be employed in any mechanical establishment or factory or laundry more than ten hours during any one day."

Incidentally this decision confirmed the validity of the statutes of Colorado, Connecticut, Louisiana, Massachusetts, Maryland, Maine, Michigan, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington and Wisconsin, restricting more or less effectively the working day of women employed in manufacture. It prepared the way for the re-enactment, now happily accomplished, of the statute restricting women's working hours in Illinois, where, since May, 1895, these workers had been deprived of all protection whatsoever in consequence of the decision of the Supreme Court of Illinois in the case known as *Ritchie vs. The People*.

Further information as to this successful effort may be found in the report of the Publication Committee. The text of the decision is there given in full.

Nothing has shown so clearly as this experience the value of the National Consumers' League as a clearing house for information and center for effective co-operative effort. The Consumers' League of Oregon sounded the note of warning that the ten hours laws of that state was in danger of annulment, and with it the legislation of many states embodying the same principle.

The decision having been obtained, there has been a steady demand from every part of the country for copies of the brief submitted by Mr. Brandeis.

Encouraged by this decision, Consumers' Leagues and other organizations in fourteen states—Colorado, Connecticut, Illinois, Massachusetts, Minnesota, Missouri, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Washington and Wisconsin—have renewed the effort to establish a legal maximum working day. In Oregon the ten hours law has been extended to women employed by transportation, express, telephone and telegraph companies. The working week is now limited at all seasons to sixty hours. Illinois enacted a ten hours law for women.

In New York and Colorado education will be needed to convince legislators and courts that the favorable federal decision overrides previous adverse decisions of state courts. This is, however, a campaign which will be carried on until in every state working women and girls are assured protection against overwork by measures as humane and effective as any in force in the most enlightened nations of Europe.

WORK AT NIGHT BY GIRLS AND BOYS UNDER 21 YEARS OF AGE

Two occupations in which thousands of young boys and girls between the ages of 15 and 21 years are employed are peculiarly unsuitable for them. In both the consumer is served by these young workers directly, and is, therefore, in a position to demand the service of adults. These occupations are night shifts in telephone exchanges, telegraph offices and the messenger service.

Young boys and girls should, in general, be stopped from working at night, in the interest of the public health and morals. It is hard for men and women to make up by day sleep lost by working at night. It is harder for young boys and girls to do so.

In these employments, moreover, the special circumstances are such that no effort should be spared to encourage the employment of adults. Messengers at night are used largely to convey disreputable messages to disreputable people and places. They are kept in contact with all that is worst in the community. The only reason for preferring them to men is their cheapness to the companies. To the community nothing could well be more expensive.

Night work for girls, boys and youths predisposes them to dependence upon stimulants and narcotics and to the absence of the conventional restraints upon conduct and comradeship. It predisposes them to nervous breakdown and tuberculosis. It is in every respect exactly the opposite of training for long life, good health, efficient work and self-respect.

No person below the age of 21 years should be at work in these employments between the hours of seven at night and seven in the morning. Every person who reads these lines can help to discourage the employment of young persons in these occupations. It is always possible in calling at night for a messenger to stipulate for a man, and to protest to headquarters when a boy is sent.

The work of young girls in telephone exchanges at night is a phenomenon new in the history of the race. The telephone itself is so new that few of its users have learned to consider it critically. Still fewer know that hundreds of telephone operators, young girls not yet twenty-one years of age, spend the night in the lobbies of hotels exposed to the liberties of the traveling public, utterly unprotected from the gravest moral dangers.

The processes of enacting workable legislation in our fifty-two states and territories are painfully slow. While waiting for laws to be enacted, however, the public can in this case take direct action by requesting the telephone companies that no person not clearly twenty-one years old be employed.

THE EIGHT-HOURS DAY FOR WORKING CHILDREN

A cheering feature of the retrospect of ten years is the following table of the District of Columbia and sixteen states which now more or less completely restrict to eight hours the work of children:

8 in 24	48 in one week...	District of Co-	Children under 16 years of age
		lumbia.	in all gainful occupations.
8 in 24	48 in one week...	Ohio	Girls under 18, boys under 16, in
			all gainful occupations.

8 in 24	48 in one week...	Illinois	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	Kansas	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	Nebraska	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	North Dakota..	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	Oklahoma	Children under 16 in all gainful occupations.
8 in 24	48 in one week...	New York	Children under 16 in all factories.
8 in 24	48 in one week...	Wisconsin	Minors under 18 in cigar manufacture.
8 in 24.....		Colorado	All children under 16 years in stores, factories or any occupations injurious to health in the discretion of the county judge.

8 in 24	{	Arizona	}	All persons in mines.
		Colorado		
		Montana		
		Missouri		
		Nevada		
		Oklahoma		
		Oregon		
		Utah		
		Wyoming		

Of these, the District of Columbia, Kansas, North Dakota and Oklahoma are new since the last issue of the Handbook of Child Labor Legislation, in May, 1908.

Aside from the mining laws, all these laws have been promoted by the Consumers' League either as such or through active members in co-operation with other organizations.

Significant is the fact that this short list contains New York and Illinois, two of the three great industrial states, the third, Pennsylvania, having just reduced the working hours from twelve to ten for all girls below the age of eighteen years. The list contains, however, no southern state and no New England state. In both those sections the cotton mill industry still is more powerful than the friends of the children.

The task of obtaining the eight hours day for the working children in their respective states confronts Consumers' Leagues in

Connecticut, Delaware, Georgia, Kentucky, Maryland, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, Oregon, Pennsylvania, Rhode Island, Tennessee, and Wisconsin. In some of these states there are child labor committees, but everywhere the task of educating the shopping public is our own.

The greatest gain made in any state in 1909 is that of Pennsylvania, whose story follows:

To the Friends of Pennsylvania's Young Workers:

Your efforts in the recent legislative campaign have helped to bring about the passage of a new Child Labor Act, signed yesterday by the Governor, of which the following are the most important points:

1. Issuance of employment certificates for children between fourteen and sixteen years by school authorities only, and upon proper evidence of age.

2. Restriction of work to an average of ten hours a day to boys under sixteen and *girls under eighteen*.

3. Protection of children under eighteen from employment in dangerous occupations.

4. Abolition of night work after 9 p. m. for boys under sixteen and *girls under eighteen*, with the exception that boys between fourteen and sixteen may be employed for nine hours at night in industries requiring "continuous operation."

5. *Establishment of forty-five minutes as a minimum period for the noon-day rest.*

The words in italics represent the provisions originally contained in the separate bill for women and girls which the Consumers' League presented to the legislature and asked you to support. You will notice that the provision regulating the number of hours daily and weekly for *adult* women has been lost. Unsurmountable opposition was shown to certain portions of this bill which held it in committee in spite of all our efforts. In order not to lose the entire measure, we were advised to amend the Child Labor Bill so as to include as many as possible of the provisions for the benefit of female workers. This was done, with the results just enumerated.

Careful observation will be required when this law goes into operation on January 1, 1910, to ascertain its effect on the hours of labor of adult women. The results of this observation will decide the wisdom and necessity of a further effort to prevail upon the next legislature to repair this one omission.

Although this one important issue has been lost, a great stride forward has been made by this legislature. Your response to the request sent from this office has helped to extend the protection of the new law over that great army of girls from sixteen to eighteen years, employed in the industries of Pennsylvania, who, under the terms of the original bill, would have been left with no protection whatsoever from unrestricted hours of work.

The universal expression of public interest in the whole question of

child labor has brought about the good which has been gained. We were notified from Harrisburg that the legislature was "flooded with letters and telegrams on the Shern Bill," and that it was "the one topic of interest at that time." . . . The Consumers' League is deeply grateful to all the friends of the young workers, whose help has made possible the achievement of this result.

Very truly yours,

FLORENCE L. SANVILLE,

Secretary, Consumers' League of Philadelphia.

LABOR INSPECTORS

There is a growing feeling that the shopping public has a claim to be able to buy goods with an easy conscience if it deals with reputable merchants, pays the price which they ask, and pays its bills promptly. On these terms a customer may well suppose herself free from participation in the employment of child labor and from encouraging the sweating system. At present, however, we have no such assurance. We still lack the knowledge we most sorely need. Of thirteen southern states, for instance, there are still seven without factory inspectors—Florida, Texas, North Carolina, Virginia, Mississippi, West Virginia, and Georgia. And without inspection there is neither enforcement of such laws as exist nor a basis for enlightened legislation.

In the last report four southern states having factory inspectors were mentioned, viz., Kentucky, Louisiana, Maryland and Tennessee. To these Alabama and South Carolina have since been added. Alabama has one man to visit insane hospitals, gaols and cotton mills. South Carolina has two newly-created factory inspectors. Their creation shows that these states now recognize the principle of state supervision and control. This is the chief value of these two new laws.

This excessive slowness of legislation indicates the need of patient educational work by the Consumers' League, interesting all people in the community, since all are consumers.

In New York City alone each year about 25,000 children 14 to 16 years of age leave school legally to enter the field of industry. To them it is of the utmost importance that the State Department of Labor enforces with energy the provisions of the child labor law, such as the eight hours day and the 5 p. m. closing hour. This official activity would be impossible without the permanent backing

of public opinion, such as the Consumers' League has been actively engaged in educating and organizing for nearly twenty years.

In 1908 a chief mercantile inspector with eight deputies was appointed, who are now at work in the cities of the first class, New York City, Buffalo and Rochester. The first six months of their work proved conclusively the error of leaving to local health boards, as had previously been done, the task of enforcing labor legislation.

If the long effort of the Consumers' League and the Child Labor Committee of Pennsylvania for the removal of State Factory Inspector John C. Delaney and the appointment of an efficient officer in his place should be accomplished, the benefit to the children would be incalculable.

WHITE LISTS

In an industrial period like the present only a strongly organized body of public opinion counts on behalf of the working boys, girls and youths, and the burdened mothers of young children striving to support the family. None of these can defend their own interests under the pressure of competition, the effort for cheapness at all costs, and the flood of immigrants bringing an ever lower standard of life.

For creating a stable body of public opinion, nothing has been invented more effective than the white list of the Consumers' League. The process of making the list and keeping it up-to-date is in itself a continuing educational force.

A white list is no sooner published than it becomes a means of getting knowledge not otherwise obtainable. For every merchant not included volunteers facts about every one in it, and also all the favorable facts about himself.

According to the standard of the Consumers' League of New York City the working day consists of nine working hours. The minimum weekly wage for clerks eighteen years old who have had one year's experience is \$6.00. Neither provision is satisfactory, but each marks an improvement over the usages of past years. And each is better than the corresponding provision in cities which have no white list. The importance of a minimum wage and a maximum working day are only beginning to be generally recognized. They are invaluable as means of combating disease and vice.

Every city as large as Cleveland, Ohio, and Detroit, Michigan,

should have a white list. Until one is formed, no one really knows what wages are paid, what the hours of labor are in the stores, whether clerks are free to use the seats which the law may require.

In a city in which there has never been a white list, the procedure for establishing one is as follows: A visiting committee is formed consisting of two influential, persuasive women who have patience and leisure. In New York City this work has been done for eight consecutive years by the same women, who spend one afternoon every week in visiting merchants by appointment. They know accurately the conditions in white list stores. They discuss, on friendly terms, such problems as early closing at Christmas and on summer Saturday afternoons. They investigate the complaints of employees as to infractions of the labor law and of the League's standard. Information which comes to them is the strictly confidential property of the governing board.

The success of the white list depends upon the patience, good sense and continuity of this committee; upon the extent to which the white list is made known, and the degree to which the public gradually comes to depend upon it for guidance.

After nearly twenty years of faithful work, the Consumers' League of the City of New York has on its white list fifty-eight merchants. Certain famous stores are still missing from it, because wages are below the standard, or a summer Saturday half holiday is not granted, or for some other substantial reason. No merchant's name is placed upon the white list without a full year of careful observation; and every claim to excellence must be corroborated by employees.

Most fundamental of all requirements is obedience to the labor law provisions applying to stores. Every item of this law has to be thoroughly familiar to the visiting committee and the employers, and no subject comes up more frequently in the work of the visiting committee.

CONGRESSIONAL BILLS

Of the bills endorsed by the National Consumers' League pending before Congress at the time of publication of the last report, that which provided for regulating child labor in the District of Columbia has since been enacted.

This is by no means a model law to be copied by the states,

because it provides for exemption of children 12 to 14 years old who have sick parents or impoverished younger brothers or sisters. It does, however, remove the Nation's capital from the black list of states and territories having no child labor law.

There remains to be passed the long pending bill for a children's bureau in the federal government. The disappointment attending the failure of the Sixtieth Congress to pass it was the greater because the bill had been favorably reported by committees of both houses of Congress and recommended in a special message by President Roosevelt. Every argument in favor of creating this bureau which applied when the bill was first introduced applies still. The following are some of the points on which it is hoped that the bureau, when established, may furnish enlightenment:

"1. How many blind children are there in the United States?" Where are they? What provision for their education is made? How many of them are receiving training for self-support? What are the causes of their blindness? What steps are taken to prevent blindness?

"2. How many mentally subnormal children are there in the United States including idiots, imbeciles and children sufficiently self-directing to profit by special classes in school? Where are these children? What provision is made for their education? What does it cost? How many of them are receiving training for self-support?

"3. How many fatherless children are there in the United States? Of these, how many fathers are dead? How many are illegitimate? How many are deserters. In cases in which the father is dead, what killed him? It should be known how much orphanage is due to tuberculosis, how much to industrial accidents, etc. Such knowledge is needful for the removal of preventable causes of orphanage.

"4. We know something about juvenile illiteracy once in ten years. This subject should be followed up every year. It is not a matter of immigrant children, but of a permanent, sodden failure of the republic to educate a half million children of native English-speaking citizens. Current details are now unattainable.

"5. Experience in Chicago under the only effective law on this subject in this country, indicates that grave crimes against children are far more common than is generally known. There is no official

source of wider information upon which other states may base improved legislation or administration.

"6. How many children are employed in manufacture? In commerce? In the telegraph and messenger service? How many children are working under ground in mines? How many at the mine's mouth? Where are these children? What are the mine labor laws applicable to children? We need a complete annual directory of state officials whose duty it is to enforce child labor laws. This for the purpose of stimulating to imitation those states which have no such officials, as well as for arousing public interest in the work of the existing officials.

"7. We need current information as to juvenile courts, and they need to be standardized. For instance, no juvenile court keeps a record of the various occupations pursued by the child before its appearance in court beyond, in some cases, the actual occupation at the time of the offense committed. Certain occupations are known to be demoralizing to children, but the statistics which would prove this are not now kept. It is reasonable to hope that persistent, recurrent inquiries from the federal children's bureau may induce local authorities to keep their records in such form as to make them valuable both to the children concerned and to children in parts of the country which have no similar institutions.

"8. There is no accepted standard of truancy work. In some places truant officers report daily, in others weekly, in some monthly, in others, never. Some truant officers do no work whatever in return for their salaries. There should be some standard of efficiency for work of this sort, but first we need to know the facts.

"9. Finally, and by far the most important, we do not know how many children are born each year or how many die, or why they die. We need statistics of nativity and mortality. What Dr. Goler has done for Rochester should be made known to all the health authorities in the United States, and the success or failure of the others in reaching his standards should be published with ceaseless reiteration."

The time when the Children's Bureau bill will be enacted depends upon the sustained and energetic interest expressed. State and local Leagues can help its passage by keeping the subject actively before their senators and representatives.

INVESTIGATIONS

I. *The Standard of Living*

At its eighth annual meeting the Council voted "that the National Consumers' League undertake to investigate wages and the standard of living of self-supporting women throughout the country." Much of the time of Miss S. B. Ainslie has, therefore, for two years been devoted to such an investigation. The results will be published in a volume appearing in the early fall. Several life stories of working girls and women living away from home have been grouped under the title "Why Working Girls Fall Into Temptation" and will appear in the Ladies' Home Journal in November. Whoever reads the statements of these hundreds of honest working girls interviewed by Miss Ainslie, will be impressed by the skill and sympathy with which she has induced them to lay bare their painful economies. The thoughtful reader cannot escape the conviction that under the conditions of wages and living now prevailing, while self-supporting women do unquestionably, by tens of thousands, live righteously, they cannot maintain the common standard of physical health. This volume will form a convincing argument for far greater publicity concerning wages than we now have, and will lay the foundation for an agitation in behalf of minimum wage boards

II. *Children Found Illegally at Work*

An investigation which promises to be of lasting value has been carried on by Miss Margaret W. Browne, Fellow of the College Settlements Association, under the direction of the General Secretary, and Miss Pauline Goldmark, Secretary of the New York City Consumers' League. This covers home and school causes of illegal employment of children in New York City who are found at work in factories and reported to the school authorities by the State Department of Labor. Commissioner of Labor John Williams very kindly sends to our office a duplicate of the daily list of names and addresses which he sends to the Department of Education. It is hoped that the methods of tracing leakage of pupils from schools to factories worked out by Miss Browne may prove of use to Consumers' Leagues in other places.

INTERNATIONAL CONFERENCE

The First Vice-President, Mrs. Frederick Nathan, and the Secretary attended the first International Conference of Consumers' Leagues at Geneva, Switzerland, September 24, 25 and 26, 1908. There were present representatives of the Consumers' Leagues of France, Switzerland, and Germany. There being no Consumers' League in England, delegates came from the Anti-Sweating League. There were 650 subscribers to the Conference and several hundred men and women were present at every session. All the leading European nations were represented. The meetings were held in the aula of the University of Geneva, M. de Morsier, a member of the General Council of Switzerland, presiding.

The subjects discussed were divided under four general heads, with two or three topics under each head:

First, our immediate responsibilities, comprising evening over-time work, clerks and other employees in stores, and the housing of servants;

Second, means of action, the label and the white list;

Third, rights and duties of purchasers, including industrial conflicts and arbitration, honest and dishonest organizations, co-operation and the state.

Four, home work, its present status, reforms relating to home work.

Mrs. Nathan presented a condensed history of the parent League, that of New York City, and a paper on the Improvement in the Condition of Sales-clerks accomplished by the Consumers' League of the City of New York. At still another session, Mrs. Nathan described the evils of home work as it exists in our great cities. All these papers and addresses were in French.

The Secretary presented a paper on tenement house work in the United States and the efforts of the Consumers' League to abolish it.

The resolutions adopted by the Conference have been reported to the constituent Leagues, and may be found printed in French, German and English in the volume of Proceedings of the Conference issued by the Secretary, Mme. Jean Brunhes, 28 Rue Serpente, Paris, France.

TENTATIVE LIST OF REFERENCES ON WAGE BOARDS

- Clark, Victor S.: Labor Conditions in Australia in Bulletin No. 56 of the U. S. Bureau of Labor, p. 60. A careful account of the Victoria system, based on investigation on the ground.
- Clark, Victor S.: Labor Movement in Australasia. N. Y., Henry Holt, 1906. Minimum Wage Boards, p. 138.
- United States Bureau of Labor Bulletin, No. 60. Government Industrial Arbitration.
- Macrosty, Henry W.: State Arbitration and the Minimum Wage in Australasia, in Commons' Trade Unionism and Labor Problems, p. 207. Another good account of the system in Victoria by an impartial writer.
- Weber, A. F.: The Report of the Victorian Industrial Commission. In Quarterly Journal of Economics (August, 1903), Vol. XVII, p. 614. A summary (both of facts and conclusions) of the report of a commission appointed in Victoria to investigate the operation of the Factories and Shops Law of Victoria, the bulk of the report being devoted to the *wages boards*. Contains detailed information as to the working of the system.
- Reeves, W. P.: State Experiments in Australia and New Zealand, Vol. II, pp. 47-69. A partisan description of the Australian wage boards.
- Webb, Sidney and Beatrice: Industrial Democracy. Introduction to the 1902 edition, pref. p. 36. A brief, favorable account of the Victoria boards.
- Cadbury, Edward, and others (M. Cecile Matheson and George Shaun): Women's Work and Wages, Chapter XII. Discusses the arguments for and against establishment of national minimum wages.
- Bosanquet, Helen: The Strength of the People, p. 286. A critical discussion tending to a conclusion adverse to wage boards.
- Meyer, Mrs. Carl, and Black, Clementina: Makers of Our Clothes. A Plea for Trade Boards. Duckworth and Co.
- Gough, George W.: The Wage Boards of Victoria. Econ. Journal, Vol. 15, pp. 361-373. London, 1905.
- MacDonald, J. Ramsay: Sweating and Wage Boards. Nineteenth Century and After. Vol. 64, pp. 748-762. London, 1908.
- MacDonald, J. Ramsay: Arbitration Courts and Wages Boards in Australasia. Contemporary Review, March, 1908, p. 308.
- Smith, H. B. Lees. Econ. Journal, 1907. V. 17, pp. 505-512. "Economic Theory and Proposals for a Legal Minimum Wage."
- Great Britain. Report of Fair Wages Committee (1908, cd 4422-3).
- National Anti-Sweating League Publications, 133 Salisbury Sq., London, E. C.
- Aves, Ernest: Report to Secretary of State on Wages Boards and Industrial Arbitration Acts of Australia and New Zealand (1908, cd 4,167).
- Home Work. Report from Select Committee, with Proceedings, Evidence and Appendix. Committee appointed to consider and report upon the

conditions of labor in trades in which home work is prevalent, and the proposals, including those for the establishment of wages boards, and the licensing of work places, which have been made for the remedying of existing abuses. (House of Commons, cd 290, 1907; cd 246, 1908: price 2s. 1d.) It can be easily secured from P. S. King & Son, Orchard House, 2 and 4 Great Smith St., Westminster, London.

Samuelson, James: *Lament of the Sweated*. London. King, 1908. *Résumé of Report of Select Committee on Housework*, 1908.

Women's Industrial Council: 7 John St., London, W. C. Penny Pamphlets, Hutchins, B. L., and MacDonald, J. Ramsay. *The Case for and Against a Minimum Legal Wage for Sweated Workers*.

Adams and Sumner: *Labor Problems*, p. 493. A very brief theoretical consideration of "Minimum Wage Laws."

MEETINGS

1908.

- March 6—Boston Social Education Association.
 8—Bridgeport, Conn., Congregational Church.
 9—New York City, School of Philanthropy.
 10—New York City, Congestion Exhibit, public meeting.
 14—Baltimore Consumers' League Conference.
 15—Albany, N. Y., St. Agnes' School.
 16—Albany, N. Y., annual meeting, Albany Consumers' League.
 20—New York Child Labor Committee.
 22—New Haven, Conn., Students' Sheffield Scientific School.
 23—New York City, Girls' Technical High School.
 24—New York City, Congestion Exhibit, public meeting.
 25—New York City, Girls' Technical High School.
 26—New York City, Adelphi College students.
- April 1-6—Atlanta, Ga., Conference on Child Labor.
 Atlanta, Ga., Public meeting on child labor.
 Atlanta, Ga., Consumers' League.
 Atlanta, Ga., Suffrage Society.
 Atlanta, Ga., Atlanta University students.
 9—New York City, Society Moral Prophylaxis, public meeting.
 10—Philadelphia Day Nursery Association.
 16—New York Child Labor Committee.
 22—New York City, Barnard College students.
 23—Flatbush, N. Y., public meeting.
 24—New York City, Child Labor Committee.
 30—New Orleans, La., State Federation of Women's Clubs.
- May 2—New Orleans, La., Travelers' Aid Society.
 2—New Orleans, La., Era Club.
 3—New Orleans, La., Unitarian Church, morning service.
 4—Mobile, Pa., public meeting.

- May 5—Chattanooga, Tenn., City Federation Women's Clubs.
 20—Albany, N. Y., hearing before Governor Hughes on canneries law.
 22—New York State Child Labor Committee.
 22—Briarcliff Manor, N. Y., Mrs. Dow's School.
 27—New York City, Girls' Hebrew Technical School.
- June 1—Hackensack, N. J., parlor meeting arranged by Miss Olive St. Clair.
 3—Elmira, N. Y., in City Council Chamber, public meeting.
 3—Elmira, N. Y., in Mr. Eaton's Church, public meeting.
 4—Elmira, N. Y., Working Girls' Club.
 5—Longwood, Pa., Progressive Friends' Yearly Meeting.
 9—New York City, Bronx M. E. Church, public meeting.
 18—Cape May, N. J., State Medical Association.
 23—New York City, Summer School of Philanthropy.
- September 1-8—Geneva, Switzerland, International Council of Women.
 24-26—Geneva, Switzerland, International Conference of Consumers' Leagues.
 28-30—Lucerne, Switzerland, International Association for Labor Legislation.
- October 23—New York City, School of Philanthropy.
 26—New York City, School of Philanthropy.
 26—New York City, Conference with Commissioner of Labor John Williams and philanthropists.
 27—New York City, Rand School of Social Science.
 28—New York City, National Consumers' League, Label Committee.
 29—New York City, Public School Lecture Course.
 30—New York City, School of Philanthropy.
- November 1—Bryn Mawr, Pa., Miss Baldwin's School.
 2—Philadelphia, Pa., Gordon School.
 3—Philadelphia, Pa., Hill School.
 3—Philadelphia, Pa., Swarthmore Preparatory School.
 4—Philadelphia, Pa., Chapman and Jones.
 5—Briarcliff Manor, N. Y., Mrs. Dow's School.
 6—New York City, School of Philanthropy.
 9—New York City, School of Philanthropy.
 10—New York City, Rand School of Social Science.
 13—New York City, School of Philanthropy.
 14—Providence, R. I., Congregational Church, morning and evening.
 19—Live Oak, Fla., State Federation of Women's Clubs.
 23—Jacksonville, Fla., Women's Club.
 25—New York City, Y. W. C. A., Training School.
 28—Pottsville, Pa., public meeting.
 29—Pottsville, Pa., Philanthropy Club, conference.
 30—New York City, Ethical School.

- December 1—New York City, Child Labor Committee.
 1—New York City, Pratt Institute, Brooklyn.
 1—New York City, Rand School of Social Science.
 2—Cambridge, Mass., Harvard Socialist Club.
 3—Boston, Mass., School for Social Workers.
 4—Boston, Mass., School for Social Workers.
 4—Hartford, Conn., Consumers' League, Child Labor Conference.
 5—New York City, Smith College Club.
 6—Cincinnati, O., National Council of Jewish Women.
 7—Cincinnati, O., Ohio Child Labor Committee.
 9—New York City, Columbia University, Teachers' College, Miss Nutting's class.
 10—New York City, Committee on Congestion of Population.
 10—New York City, Child Labor Committee.
 11—New York City, Child Labor Committee (Sub-Committee on Legislation).
 11—New York City, Socialist Society.
 13—New York City, Y. M. C. A., Brooklyn.
 14—New York City, National Consumers' League, Food Committee.
 15—New York City, Pratt Institute, Brooklyn.
 15—New York City, Rand School of Social Science.
 16—Princeton, N. J., Present Day Club.
 20—Wilmington, Del., Conference on Factory Inspection.
 22—New York City, National Consumers' League, Finance Committee.
 23—New York City, Child Labor Committee, Scholarships.
 23—New York City, Committee on Congestion of Population.

1909.

- January 4—New York City, Colony Club, Dr. Rotch's meeting on working children.
 5—New York City, Pratt Institute, Brooklyn.
 5—New York City, National Child Labor Committee.
 6—New York City, Committee on Congestion of Population.
 7—New York City, National Consumers' League, Food Committee.
 9—New York City, Whittier Hall, High School pupils.
 11—New York City, Public School lecture course, St. Luke's School.
 11—New York City, Tuberculosis Exhibit, Neighborhood Workers' Conference.
 12—New York City, Pratt Institute, Brooklyn.
 13—East Orange, N. J., Conference at home of Mrs. Cushing.
 16—Englewood, N. J., Dwight School, where a branch of the N. J. League was then formed.
 18—Brooklyn, N. Y., Present Day Club.

- January 20—Philadelphia, Consumers' League, annual meeting.
 21-22-23—Chicago, Ill., National Child Labor Committee, annual meeting.
- 25—Wellesley, Mass., Wellesley College Consumers' League.
 26—New York City, Consumers' League, annual meeting.
 27—Washington, D. C., House of Representatives, hearing on Children's Bureau Bill.
- 30—Philadelphia, Pa., public meeting, Witherspoon Hall, arranged by the American Academy of Political and Social Science.
- February 1—Troy, N. Y., public meeting, afternoon.
 1—Troy, N. Y., public meeting, evening.
 2—Schenectady, N. Y., public meeting, afternoon.
 4—Detroit, Mich., Consumers' League annual meeting.
 5—Cleveland, O., Wimaudausis Club.
 5—Cleveland, O., evening meeting, Y. W. C. A.
 6—Cleveland, O., Consumers' League annual meeting.
 7—Cleveland, O., Epworth Memorial Methodist Church, evening service.
 8—Akron, O., Women's Council.
 9—Cleveland, O., Women's College.
 9—Cleveland, O., Present Day Club.
 (All these engagements were arranged by the Consumers' League of Cleveland.)
 15—New York City, Child Labor Committee.
 16—New York City, C. O. S. Conference on children, arranged by the National Child Labor Committee in the interest of the Federal Children's Bureau.
 16—Poughkeepsie, N. Y., Vassar College, Consumers' League.
 17—New York City, Women's Medical College Alumnæ, public meeting.
 20—New Haven, Conn., State Consumers' League annual meeting.
 21—Boston, Mass., Ford Hall meeting, subject, "The Lost Leadership of New England in Child Labor Legislation."
 23—Bradford, Mass., Bradford Academy.
 24—Albany, N. Y., Committee on Ways and Means, hearing on Workmen's Compensation bill.
 25—Poughkeepsie, N. Y., New York State Consumers' League annual meeting.
 26—New York City, Teachers' College, on Industrial Invasion of the Home,—The Sweating System.

REPORT OF THE LABEL COMMITTEE

MANUFACTURERS AUTHORIZED TO USE THE LABEL

Illinois—

Marshall Field & Co., Chicago, underwear, medium and fine.
George Lewis, Chicago, underwear, medium and fine.
A. Roth, Chicago, corsets.

Maine—

The C. F. Hathaway Company, Waterville, underwear.

Maryland—

Mendels Bros., Baltimore, wrappers, kimonos, house suits and waists.
E. Pohl & Co., Baltimore, corsets.

Massachusetts—

Brown, Durrell & Co., Boston, petticoats.
W. H. Burns Company, Worcester, fine underwear (women's and children's).
Clark Mfg. Company, Boston, skirt and stocking supporters.
Columbia Bathing Suit Company, Boston, bathing suits.
Continental Waist Company, Boston, ladies' waists.
Elliott Mfg. Company, Boston, shirtwaists and petticoats.
Fairmount Underwear Company, Hyde Park, underwear, cheap and medium.
Davis Frank, Boston, underwear, medium and fine.
The George Frost Mfg. Company, Boston, skirt and stocking supporters.
Holden-Graves Company, Boston and Gloucester, aprons, tea gowns and wash suits.
Green & Green, Worcester, fine underwear.
Fred. A. Hastings, Boston, petticoats.
C. F. Hovey & Co., Boston, for order work in their own work-rooms.
A. Israel, Worcester, petticoats.
Jordan & Marsh, Boston, for order work in their own work-rooms.
Mrs. M. E. Kelsey, Boston, Bostonia petticoats.
Lester, Mintz & Co., Boston, petticoats.
Natick Underwear Company, Springfield, underwear (women's and children's).
Priscilla Undermuslin Company, Springfield, undermuslins.
Randall Bros., Natick, underwear, all grades.
Ruth Mfg. Company, Somerville, silk petticoats.
Meyer Rosenfield, Boston, underwear.
Sircom Bros., Melrose, petticoats.

Massachusetts—Continued.

Superior Mfg. Company, Boston, "Boston silk petticoat."
Westboro Underwear Company, Westboro, underwear.
Whitall Underwear Company, Lowell, underwear, medium and fine.
Worcester Muslin Underwear Company, Worcester, fine underwear.
Old Home Mfg. Company, Boston, agents for goods bearing the label.

Michigan—

W. H. Allen Company, Detroit, underwear.
Crescent Works, Ann Arbor, corsets.
Jackson Corset Company, Jackson, corsets.
A. Krolik & Co., Detroit, corsets.
McGee Brothers Company, Jackson, petticoats.
Standard Underwear Company, Jackson and Grand Rapids, fine underwear.

New Hampshire—

Ideal Mfg. Company, Tilton, petticoats.
Manchester Garment Company, Manchester, petticoats.

New Jersey—

Henry A. Dix, Millville and Carmel, wrappers, dressing jackets.
Taube, Arlington, underwear.

New York—

Abramowitz & Brill, New York City, ladies' underwear.
Columbia Skirt Company, }
Gillette Skirt Company, } Cortland, petticoats.
New York Skirt Company, }
M. Wilber Dyer Company, New York City, ladies' underwear.
Elmira Skirt Company, Elmira, petticoats.
Gilbert Mfg. Company, New York City, petticoats.
J. B. Goggin & Co., New York City, fine underwear.
Poughkeepsie Queen Undermuslins Company, Poughkeepsie.
Queen City Mfg. Company, Elmira, ladies' muslin undergarments.
Utica Skirt Mfg. Company, Utica, skirts.
The Wade Company, New York City, corsets.
The Wolf Company, New York City, undermuslins and waists.

Ohio—

Antoinette Rowland, Cleveland, aprons.

Pennsylvania—

Middendorff Bros., Philadelphia, fine underwear.
A. L. Samuels, Philadelphia, petticoats.
J. B. Sheppard & Sons, Philadelphia, fine underwear.

Rhode Island—

W. H. Anderson & Co., Providence, underwear.
The Keach & Brown Company, Valley Falls, fine underwear, curtains
Wachusett Mills Company, Providence, the rubdry towels.

Vermont—

Brandon Garment Company, Brandon, wrappers.

Brown, Durrell & Co., Chester, wrappers, house dresses, waists, etc.

Richmond Underwear Company, Richmond, children's drawers and waists.

Wisconsin—

Western Underwear Company, Oshkosh, underwear, all grades.

REPORT OF THE PUBLICATION COMMITTEE

By the Chairman, MISS JOSEPHINE GOLDMARK

The main activity of the Publication Committee for the year 1908-09 is described in the following generous editorial of the *Outlook*, March 21, 1908:

"The story of the fight on behalf of overworked women which was won before the United States Supreme Court may put heart in those who believe that ultimately we shall make industry for the sake of humanity and not regard humanity as existing for the sake of industry. The State of Oregon proceeded against a laundryman for violating one of its laws by employing women for a greater number of hours than the law allowed. The highest court in Oregon sustained the law, and the laundryman appealed. Thereupon the Oregon State Consumers' League notified the National Consumers' League that ammunition was needed to contest the appeal before the United States Supreme Court. The case involved not merely legal questions but questions of social and industrial conditions. Through the good offices of the National Consumers' League, Mr. John Manning, the District Attorney who had the case in charge, invited Mr. Louis D. Brandeis, of Boston, to co-operate. Mr. Brandeis, who gave his services gratuitously in this case, outlined a brief and called upon the National Consumers' League to collect and arrange the facts. Miss Josephine Goldmark, of the League, delved into the libraries—Columbia University Library, the Astor Library, and the Congressional Library were put at her service. Ten readers were employed. One, a young medical student, devoted himself solely to reading on the hygiene of occupations. It is significant that there is a lack of American statistics on this subject; there is plenty of opinion; the general conditions are a matter of common knowledge; but what we need are specific facts. Europe is ahead of America in this respect, and the foreign medical opinions are among the most impressive which were ultimately incorporated in the brief. It is only a lawyer with a broad view and large mind who would do what Mr. Brandeis did—go before the Supreme Court of the United States with a brief of one hundred and thirteen printed pages, of which only two pages could be construed as a strictly legal argument. The result of this impressive presentation of facts was a unanimous decision by the Court that the present and future mothers of the race are worthy of defense against the greed of man. The brief has attracted very wide attention; there is demand for it from lawyers, economists, college professors, and publicists. The success of this work has convinced the National Consumers' League that there is a new field of service for it, and the League has voted to have a permanent committee in defense of labor laws. Child labor, woman's night work, and dangerous occupations for women and children indicate the extent of the field in which this service can be rendered. It is

an immense task which the League has undertaken, and in performing it the League deserves the support of every one who cares less for dollars than for people."

The text of the decision in the Oregon case is given in full following this report, since it is difficult for the general reader to gain access to decisions of the United States Supreme Court, and the document is of vital interest to many people.

Thirteen years ago the Supreme Court of Illinois decided that a state could not, under the federal constitution, restrict the working hours of adult women. Not until more than a dozen years after this decision had deprived women in Illinois of all legislative protection from excessive working hours did the United States Supreme Court itself have an opportunity to be heard upon this subject.

By its sweeping reversal of the Illinois court, the highest court of the United States has now brought this nation into the group of civilized countries which, beginning with England in 1844, have successively enacted laws to protect women from overwork in manufacture.

The Illinois decision retarded this movement by many years in other American states, although the highest court of Massachusetts had sustained the constitutionality of the Massachusetts ten-hours law for women as far back as 1876, and the supreme courts of three states—Nebraska, Washington and Oregon—have in the last decade followed the Massachusetts precedent.

The Federal Supreme Court unanimously holds not only that the working hours of women may be restricted for the protection of health, but that the welfare of the state depends upon such restriction.

This decision is the most sweeping one ever promulgated by the Supreme Court of the United States in relation to working hours. It is not confined to a consideration of the ten-hours day or to a working day of any particular length. It leaves to the states liberty to determine what working hours are wholesome and reasonable. It goes far beyond the statute at issue, which dealt with the employment of women in factories and laundries, and looks towards the protection of women in other employments. The opinion is in advance of the practice of many of the twenty states which have enacted laws curtailing women's working hours. Most of these permit the ten-hours day to be invalidated by exceptions which interfere with enforcement of the law and in many cases render it practically void.

Before judges can pass upon the constitutional question at issue, they must obviously have presented to them testimony throwing light on the intricate medical and social facts which ultimately determine their decision.

The court's "judicial cognizance" of practical facts should act as a valuable stimulus to the study and "general knowledge" concerning them. The meagerness of the available American information on the social and medical effects of occupations was revealed in the course of preparing Mr. Brandeis' brief. Specific medical data upon this subject is almost wholly lacking. Not only the effect of long hours but the whole hygiene of occupations awaits adequate medical investigation.

Since many of our industries and processes differ fundamentally from European ones, it is indispensable to have medical observations and conclusions based on American conditions. In some cases, doubtless, the physical results are identical here and abroad. Statistics of the effects of laundry work, for instance, compiled by two large London infirmaries, and quoted in Mr. Brandeis' brief are no doubt as true of the laundries here as in London, since American laundry machines are widely used in England, and the general conditions of the trade appear to be the same. In other industries, however, the statistics of one country may be valueless for another.

Besides contributing to reprinting the brief in the Oregon case, the Russell Sage Foundation has granted the Publication Committee an appropriation for a more extended investigation into the literature on fatigue in relation to the length of working hours. This appropriation has provided salaries of two or three readers during the past eight months, as well as all clerical assistance. The Chairman of the Publication Committee has directed this reading in the medical and social literature of the United States, England, France, Germany, Austria, Italy and the British colonies. A mass of opinions and statistics has been gathered which will be printed as a compendium for use in future legislation and court cases.

Unusual courtesies have been received at the following libraries: the New York Public Library, the libraries of Columbia University and of the Academy of Medicine in New York City, the Library of Congress and the Library of the Department of Commerce and Labor in Washington. Books and reports have also been imported direct from abroad, and inquiries for additional material have been directed to prominent physicians and economists abroad.

In consequence of the resolution passed at the tenth annual meeting of the Council of the National Consumers' League, held in Providence, March, 1909 (see below), the following letter has been addressed to Dr E. T. Devine, one of the directors of the next meeting of the International Congress of Hygiene and Demography, which will take place for the first time in America in Washington, 1910:

Dr. E. T. Devine, 105 East Twenty-second Street, New York City:

MY DEAR DR. DEVINE:—I send you herewith a resolution of the Council of the National Consumers' League* regarding the approaching meeting of the International Congress of Hygiene and Demography in 1910.

To our mind there is no province of industrial hygiene which is of more importance, or has been more neglected, than the study of fatigue in relation to the length of working hours.

While medical interest in occupational diseases is over a century old, and the literature on the subject is enormous (a partial bibliography filling almost twenty pages in Mr. Hoffman's study of Dusty Trades, Bulletin of the United States Department of Labor, November, 1908), these works contain little mention of what is perhaps the most common and most subtle danger of occupation, overfatigue.

*See pp. 15-16.

In the course of an investigation, which I have carried on during the last eight months, I have found no more valuable contributions to the physiological and psychological study of industrial overstrain than the articles read before the International Congress of Hygiene, Berlin, 1907 (*Ermüdung durch Berufsarbeit*, by Dr. Z. Trèves, of Turin; Dr. E. Roth, Berlin, etc.).

The Congress had previously heard able papers on these problems at its meeting in Budapest, 1894, and in Paris, 1900. At its meeting in Brussels, in 1903, the Congress passed a resolution urging governments to study overfatigue as one of the most fertile sources of ill health. This recommendation was quoted and repeated in hearings before the British Inter-departmental Committee on Physical Degeneration, 1904.

In this connection interest attaches to the formation of the "Commission Internationale Permanente pour l'étude des Maladies Professionnelles," which was organized after the First International Congress on Industrial Diseases, in Milan, 1906, and whose headquarters are in Milan. The constitution of the commission sets forth its object as follows:

Article 3. (a) To collect and study new facts in physiology, pathology or in the social sciences, which may be of value to industrial hygiene.

(e) To draw the attention of the authorities to the results of studies which may be valuable for industrial hygiene, and to recommend to learned societies as subjects of discussion, questions of physiology of clinical interest and of the hygiene of labor.

(f) To make public the efforts of governments, universities, hospitals and private persons, directed towards the teaching and development of industrial hygiene.

The list of members of the Commission Internationale Permanente fails to show a single representative from the United States among men from European countries such as—

Dr. Thomas Legge, H. M. Medical Inspector of Factories, and Dr. Thomas Oliver, England; Prof. L. Devoto, Director of the Clinic for Industrial Diseases at Milan, and Prof. Pieraccini, Italy; Dr. D. Gilbert, Chief Medical Inspector, Belgium; Dr. E. Roth, Germany; Dr. Jean Paul Langlois, France, besides representatives from Holland, Sweden, Russia, Austria, Hungary, Switzerland, Greece, Canada and the Argentine Republic.

The Commission Internationale Permanente publishes a quarterly bulletin containing exhaustive bibliographies of works on the "hygiene, physiology, pathology, and clinical aspects of labor," in current medical and social literature. While many of these works deal with specific diseases of occupation, there is also a new emphasis laid on the problems of overstrain and exhaustion, studied both in the laboratory and in industry.

It is this new correlation of strictly scientific investigation of fatigue and its application to industrial conditions which was so remarkably exemplified at the Berlin meeting of the International Congress of Hygiene, and which has hitherto been lacking in this country.

Could not the first American meeting of the International Congress in

1910 stimulate similar investigation and study here? Interest in increasing efficiency of the workers has already led important industrial establishments to provide supervision of the hygiene of their employees, thus affording one method of observation. Specific questions which suggest themselves among others might be:

A study of fatigue of attention, shown by the incidence of accidents after long working hours, comparable to the study of Prof. Imbert in France and Prof. Pieraccini in Italy.

A study of the specific effect on health and efficiency from reducing hours of work and overtime comparable to the studies of Ernst Abbé and others abroad.

A third line of investigation would be of great interest if the directors of the Congress could devise means of gaining any information on the relation between overstrain and the increase in nervous disorders among working people.

Abroad the records of the sickness insurance societies are bringing this problem into prominence, especially in Germany and Austria. While the statistics of the societies do not appear to be as yet sufficiently standardized to admit of positive proof of the effects of industrial strain in inducing nervous disorders, the rapid increase of such diseases among insured members has provoked grave discussion of the facts and of the need of counter-acting them by reducing hours of labor.

The National Consumers' League recommends study and publication of results in what the Italians aptly term the pathology of labor (*patologia del lavoro*)—for a twofold object: for use in obtaining legislation reducing hours of labor in the various states, and in subsequently defending such legislation in the courts. Judging from the requests for the brief in the Oregon case received this winter from states where legislation for women has been undertaken (New York, Pennsylvania, Illinois, Connecticut, Rhode Island, etc.), there is urgent need of more information on the physiological and social facts upon which protective laws are based.

Such laws offer the most direct and only *enforceable* means of combating industrial overstrain. Education in nutrition, better housing, etc., is doubtless indispensable, but a minimum leisure must first be provided.

Sincerely yours,

JOSEPHINE GOLDMARK,
Chairman.

DECISION OF THE SUPREME COURT OF THE UNITED STATES
IN THE OREGON CASE

CURT MILLER, PLAINTIFF IN ERROR, VS. THE STATE OF OREGON
IN ERROR TO THE SUPREME COURT OF THE STATE OF OREGON

February 24, 1908

Mr. Justice Brewer delivered the opinion of the Court.

On February 19, 1903, the Legislature of the State of Oregon passed an act (Session Laws, 1903, p. 148) the first section of which is in these words:

Sec. 1. That no female (shall) be employed in any mechanical establishment, or factory, or laundry in this state more than ten hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than ten hours during the twenty-four hours of any one day."

Section 3 made a violation of the provisions of the prior sections a misdemeanor, subject to a fine of not less than \$10 nor more than \$25. On September 18, 1905, an information was filed in the Circuit Court of the State for the County of Multnomah, charging that the defendant "on the fourth day of September, A. D. 1905, in the County of Multnomah and State of Oregon, then and there being the owner of a laundry, known as the Grand Laundry, in the City of Portland, and the employer of females therein, did then and there unlawfully permit and suffer one Joe Haselbock, he, the said Joe Haselbock, then and there being an overseer, superintendent and agent of said Curt Muller, in the said Grand Laundry, to require a female, to wit, one Mrs. E. Gotcher, to work more than ten hours in said laundry on said fourth day of September, A. D. 1905, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of Oregon."

A trial resulted in a verdict against the defendant, who was sentenced to pay a fine of \$10. The Supreme Court of the State affirmed the conviction (48 Ore. 252), whereupon the case was brought here on writ of error.

The single question is the constitutionality of the statute under which the defendant was convicted so far as it affects the work of a female in a laundry. That it does not conflict with any provisions of the state constitution is settled by the decision of the Supreme Court of the State. The contentions of the defendant, now plaintiff in error, are thus stated in his brief:

"(1) Because the statute attempts to prevent persons, *sui juris*, from making their own contracts, and thus violates the provisions of the Fourteenth Amendment, as follows:

"No state shall make or enforce any law which shall abridge the privi-

leges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'

"(2) Because the statute does not apply equally to all persons similarly situated, and is class legislation.

"(3) The statute is not a valid exercise of the police power. The kinds of work prescribed are not unlawful, nor are they declared to be immoral or dangerous to the public health; nor can such a law be sustained on the ground that it is designed to protect women on account of their sex. There is no necessary or reasonable connection between the limitation prescribed by the act and the public health, safety, or welfare."

It is the law of Oregon that women, whether married or single, have equal contractual and personal rights with men. As said by Chief Justice Wolverton, in *First National Bank vs. Leonard*, 36 Ore. 390, 396, after a review of the various statutes of the state upon the subject:

"We may therefore say with perfect confidence that, with these three sections upon the statute book, the wife can deal, not only with her separate property, acquired from whatever source, in the same manner as her husband can with property belonging to him, but that she may make contracts and incur liabilities, and the same may be enforced against her, the same as if she were a *feme sole*. There is now no residuum of civil disability resting upon her which is not recognized as existing against the husband. The current runs steadily and strongly in the direction of the emancipation of the wife, and the policy, as disclosed by all recent legislation upon the subject in this state, is to place her upon the same footing as if she were a *feme sole*, not only with respect to her separate property, but as it affects her right to make binding contracts; and the most natural corollary to the situation is that the remedies for the enforcement of liabilities incurred are made co-extensive and co-equal with such enlarged conditions."

It thus appears that, putting to one side the elective franchise, in the matter of personal and contractual rights they stand on the same plane as the other sex. Their rights in these respects can no more be infringed than the equal rights of their brothers. We held in *Lochner vs. New York*, 198 U. S. 45, that a law providing that no laborer shall be required or permitted to work in bakeries more than sixty hours in a week or ten hours in a day was not as to men a legitimate exercise of the police power of the state, but an unreasonable, unnecessary, and arbitrary interference with the right and liberty of the individual to contract in relation to his labor, and as such was in conflict with, and void under, the federal constitution. That decision is invoked by plaintiff in error as decisive of the question before us. But this assumes that the difference between the sexes does not justify a different rule respecting a restriction of the hours of labor.

In patent cases counsel are apt to open the argument with a discussion of the state of the art. It may not be amiss, in the present case, before examining the constitutional question, to notice the course of legislation as

well as expressions of opinion from other than judicial sources. In the brief filed by Mr. Louis D. Brandeis, for the defendant in error, is a very copious collection of all these matters, an epitome of which is found in the margin.*

While there have been but few decisions bearing directly upon the question, the following sustain the constitutionality of such legislation. *Commonwealth vs. Hamilton Mfg. Co.*, 125 Mass. 383; *Wenham vs. State*, 65 Neb. 394, 400, 406; *State vs. Buchanan*, 29 Wash. 602; *Commonwealth vs. Beatty*, 15 Pa. Sup. Ct. 5, 17; against them in the case of *Ritchie vs. People*, 155 Ill. 98.

The legislation and opinions referred to in the margin may not be, technically speaking, authorities, and in them is little or no discussion of the constitutional question presented to us for determination, yet they are significant of a widespread belief that woman's physical structure, and the functions she performs in consequence thereof, justify special legislation restricting or qualifying the conditions under which she should be permitted to toil. Constitutional questions, it is true, are not settled by even a consensus of present public opinion, for it is the peculiar value of a written constitution that it places in unchanging form limitations upon legislative action, and thus

*The following legislation of the states impose restriction in some form or another upon the hours of labor that may be required of women: Massachusetts, 1874, Rev. Laws 1902, chap. 106, sec. 24; Rhode Island, 1885, Acts and Resolves 1902, chap. 994, p. 73; Louisiana, 1886, Rev. Laws 1904, vol. 1, sec. 4, p. 989; Connecticut, 1887, Gen. Stat. revision 1902, sec. 4691; Maine, 1887, Rev. Stat. 1903, chap. 40 sec. 48; New Hampshire, 1887, Laws 1907, chap. 94, p. 95; Maryland, 1888, Pub. Gen. Laws 1903, art. 100, sec. 1; Virginia, 1890, Code 1904, tit. 51 a, chap. 178 a, sec. 3657 b; Pennsylvania, 1897, Laws 1905, No. 226, p. 352; New York, 1899, Laws 1907, chap. 507, sec. 77, subdiv. 3, p. 1078; Nebraska, 1899, Comp. Stat. 1905, sec. 9955, p. 1986; Washington, Stat. 1901, chap. 68, sec. 1, p. 118; Colorado, Acts 1903, chap. 138, sec. 3, p. 310; New Jersey, 1902, Gen. Stat. 1905, p. 2350, secs. 66 and 67; Oklahoma, 1890, Rev. Stat. 1903, chap. 25, art. 58, sec. 729; North Dakota, 1877, Rev. Code 1905, sec. 9440; South Dakota, 1877, Rev. Code (Penal Code, sec. 764), p. 1185; Wisconsin, 1867, Code 1898, sec. 1728; South Carolina, Acts 1907, No. 233.

In foreign legislation Mr. Brandeis calls attention to these statutes: Great Britain, 1844, Law 1901, I Edw. VII, chap. 22; France, 1848, Act Nov. 2, 1892, and March 30, 1900; Switzerland, Canton of Glarus, 1848, Federal Law 1877 art. 2, sec. 1; Austria, 1855, Acts 1897, art. 96 a, secs. 1 to 3; Holland, 1889, Art. 5, sec. 1; Italy, June 19, 1902, art. 7; Germany, Laws 1891.

Then follow extracts from over ninety reports of committees, bureaus of statistics, commissioners of hygiene, inspectors of factories, both in this country and in Europe, to the effect that long hours of labor are dangerous for women, primarily because of their special physical organization. The matter is discussed in these reports in different aspects, but all agree as to the danger. It would of course take too much space to give these reports in detail. Following them are extracts from similar reports discussing the general benefits of short hours from an economic aspect of the question. In many of these reports individual instances are given tending to support the general conclusion. Perhaps the general scope and character of all these reports may be summed up in what an inspector for Hanover says: "The reasons for the reduction of the working day to ten hours—(a) the physical organization of women, (b) her maternal functions, (c) the rearing and education of the children, (d) the maintenance of the home—are all so important and so far-reaching that the need for such reduction need hardly be discussed."

gives a permanence and stability to popular government which otherwise would be lacking. At the same time, when a question of fact is debated and debatable, and the extent to which a special constitutional limitation goes is affected by the truth in respect to that fact, a widespread and long continued belief concerning it is worthy of consideration. We take judicial cognizance of all matters of general knowledge.

It is undoubtedly true, as more than once declared by this court, that the general right to contract in relation to one's business is part of the liberty of the individual, protected by the Fourteenth Amendment to the Federal Constitution yet it is equally well settled that this liberty is not absolute and extending to all contracts, and that a state may, without conflicting with the provisions of the Fourteenth Amendment, restrict in many respects the individual's power of contract. Without stopping to discuss at length the extent to which a state may act in this respect, we refer to the following cases in which the question has been considered: *Allgeyer vs. Louisiana*, 165 U. S. 578; *Holden vs. Hardy*, 169 U. S. 366; *Lochner vs. New York*, *supra*.

That woman's physical structure and the performance of maternal functions place her at a disadvantage in the struggle for subsistence is obvious. This is especially true when the burdens of motherhood are upon her. Even when they are not, by abundant testimony of the medical fraternity continuance for a long time on her feet at work, repeating this from day to day, tends to injurious effects upon the body, and as healthy mothers are essential to vigorous offspring, the physical well-being of woman becomes an object of public interest and care in order to preserve the strength and vigor of the race.

Still again, history discloses the fact that woman has always been dependent upon man. He established his control at the outset by superior physical strength, and this control in various forms, with diminishing intensity, has continued to the present. As minors, though not to the same extent, she has been looked upon in the courts as needing especial care that her rights may be preserved. Education was long denied her, and while now the doors of the school room are opened and her opportunities for acquiring knowledge are great, yet even with that and the consequent increase of capacity for business affairs, it is still true that in the struggle for subsistence she is not an equal competitor with her brother. Though limitations upon personal and contractual rights may be removed by legislation, there is that in her disposition and habits of life which will operate against a full assertion of those rights. She will still be where some legislation to protect her seems necessary to secure a real equality of right. Doubtless there are individual exceptions, and there are many respects in which she has an advantage over him; but looking at it from the viewpoint of the effort to maintain an independent position in life, she is not upon an equality. Differentiated by these matters from the other sex, she is properly placed in a class by herself, and legislation designed for her protection may be sustained, even when like legislation is not necessary for men and could

not be sustained. It is impossible to close one's eyes to the fact that she still looks to her brother and depends upon him. Even though all restrictions on political, personal, and contractual rights were taken away, and she stood, as far as statutes are concerned, upon an absolutely equal plane with him, it would still be true that she is so constituted that she will rest upon and look to him for protection; that her physical structure and a proper discharge of her maternal functions—having in view not merely her own health, but the well-being of the race—justify legislation to protect her from the greed as well as the passion of man. The limitations which this statute places upon her contractual powers, upon her right to agree with her employer as to the time she shall labor, are not imposed solely for her benefit, but also largely for the benefit of all. Many words cannot make this plainer. The two sexes differ in structure of body, in the functions to be performed by each, in the amount of physical strength, in the capacity for long-continued labor, particularly when done standing, the influence of vigorous health upon the future well-being of the race, the self-reliance which enables one to assert full rights, and in the capacity to maintain the struggle for subsistence. This difference justifies a difference in legislation and upholds that which is designed to compensate for some of the burdens which rest upon her.

We have not referred in this discussion to the denial of the elective franchise in the State of Oregon, for while that may disclose a lack of political equality in all things with her brother, that is not of itself decisive. The reason runs deeper, and rests in the inherent difference between the two sexes, and in the different functions in life which they perform.

For these reasons, and without questioning in any respect the decision in *Lochner vs. New York*, we are of the opinion that it cannot be adjudged that the act in question is in conflict with the Federal Constitution, so far as it respects the work of a female in a laundry, and the judgment of the Supreme Court of Oregon is affirmed.

True copy.

Test

JAMES H. MCKENNEY,
Clerk, Supreme Court, United States.

THE LECTURE COMMITTEE

By the Chairman, REV. JAMES T. BIXBY

I have sent out thirty letters to men of eminence and influence accompanied with reports.

In these I asked for sympathy in our work, the privilege of entering the names of those addressed in our list of people willing to express before public audiences their approval of our cause and, if in charge of a pulpit, to present to their congregations from time to time the method of social betterment for which our League stands. In response, four gentlemen have sent assurances of sympathy with our cause; but owing to the pressure of other work, cannot give active co-operation. Three have expressed a willingness, under certain conditions, to have their names put on our list of those willing to address the public in our behalf. The names of these are: Prof. John B. Clark, Columbia University; Dr. James H. Canfield, Librarian of Columbia University; Dr. Charles Sprague Smith, Director, People's Institute, New York City.

Dr. Sprague Smith also promises to place on the program of the People's Institute for next year an evening devoted to the work of the National Consumers' League.

Twelve others have given still more unreserved assent to our invitation to serve our cause occasionally by public addresses either in their own churches or when invited to speak elsewhere.

The names are as follows:

Rev. Dr. J. H. Mellish, Holy Trinity Church, Brooklyn, N. Y.
Prof. William Adams Brown, Union Theological Seminary, New York City.
Dr. Walter Radcliffe, the Presbyterian Church, Washington, D. C.
Dr. John Van Schaick, the Church of our Father, Universalist, Washington, D. C.

Rev. Dr. Floyd Tomkins, Holy Trinity, Rabbi Henry Berkowitz, the Jewish Chatauqua Society, Dr. W. B. Jennings, the Presbyterian Church, Rev. Oscar B. Hawes, the Unitarian Society, Dr. Edwin Heyl Delk, the Lutheran Church, Dr. Charles L. Kloss, the Congregational Church,	}	Philadelphia and Germantown.
Dr. S. V. V. Holmes, the Presbyterian Church, Buffalo, N. Y. Rabbi Israel Aaron, Rabbi of a large Hebrew congregation.		

I quote a few expressions of interest and promises of co-operation.

Dr. Howard Mellish says: "I will be glad to co-operate with you in any way I can. The subject is of vast importance and has my cordial sympathy."

Dr. Edwin Huyl Delk, promising active aid, says. "I have always spoken for the important reforms the League champions."

Rabbi Berkowitz, granting permission to enroll his name in our list of lecturers, also promises to present our movement to his congregation from his pulpit.

Dr. Floyd Tomkins states that he has been interested in our cause for many years and promises that if he can do anything to help it forward he certainly will.

Dr. Walter Radcliffe has already spoken to his congregation in approval of our work and will continue to do so.

REPORT OF THE FOOD COMMITTEE

By the Chairman, Miss ALICE LAKEY

March, 1908, to March, 1909

The principal work of the Food Committee has been drafting a standard slaughter-house and meat-inspection bill, to supplement the federal law and provide for the use of any state a law to protect consumers from danger of using meat from animals killed within the state that were diseased or slaughtered in unsanitary slaughter-houses. The federal measure obviously cannot protect consumers from evils existing within a state. The proposed standard bill has been sent by Mr. James B. Reynolds to Washington for final revision.

The committee has issued printed matter, designed to spread the doctrine of not only pure food but clean food. The Chairman assisted Mrs. William Shailer in preparing the leaflet issued by the New York City Consumers' League and the National and New Jersey Consumers' Leagues; translated into Italian and Yiddish for the East Side of New York City and, in Europe, translated into French. It is circulated through domestic science classes and grammar grades of some public schools and in one school of commerce in New York City. The Food Commissioners of Pennsylvania and Wisconsin have reprinted the leaflet in their regular publications. The committee has reprinted (by permission) an article entitled "Pure Food Don'ts or Suggestions to Canners." The score card is also to be had for distribution.

The year has been a difficult one for enforcement of the federal pure food law, as concerted effort has been made to defeat its purpose and concede to special interests privileges that meant the final destruction of the integrity of the law. While no one can criticise the scientific men who are the Referee Board, the appointing of the Board was contrary to the spirit of the law. In a letter to the Chairman, dated February 8, 1909, Senator Heyburn states:

"Some people are taking it for granted that the appointment of a Bureau of Standards and Commissions of Chemists, etc., is authorized by law and that their action is binding in the determination of what constitutes a violation of the pure food law. Such is not the case. The law as enacted leaves to the courts to determine what constitutes a violation. These fancy boards have no legal status. The Board of Chemists has none. Dr. Wiley's findings have no binding legal status in the courts. They only constitute evidence of his opinion."

The appropriation to continue the Referee Board was to be voted on February 10th. Following a letter received from Dr. Purington, of Boston, of the Woman's Christian Temperance Union, the Chairman sent on February 9th telegrams to five members of the House of Representatives at Washington, D. C., asking that the House sustain Dr. Wiley and the pure

food law. The appropriation was lost. As it will come up in the Senate, the Chairman sent letters to eighteen Senators in the Agricultural Appropriation Committee or interested in the pure food law. She asks that a resolution be passed by the National Consumers' League and sent as a telegram or letter to the appropriate Senators and to President Taft.

The effort of manufacturers of imitation whiskey to have the ruling of Attorney-General Bonaparte set aside and permission given to call their goods "rectified whiskey" has failed. On Monday, February 22d, a request came that a telegram from the Consumers' League be sent asking President Roosevelt to let stand the decision of Attorney-General Bonaparte as to what constitutes whiskey. The telegram was sent that morning by the Chairman. Mrs. Nathan, in the absence of Mr. Brooks, sent a similar one. At our suggestion Dr. Purington, of the Women's Christian Temperance Union, sent a message from Boston. On February 24th news came that the rectifiers had lost their case and President Roosevelt had sustained Dr. Wiley and the Attorney-General. Nothing is of more importance than keeping Dr. Wiley as Chief of the Bureau of Chemistry. If the country loses him as official head of the pure-food work, the labor of twenty years is wasted.

Mr. Martin, Treasurer of the Food Committee, reports in our treasury \$12, with an unpaid printing bill of \$3.50 for the leaflet "Food Preservatives." The balance will be \$8.50.

Editorial matter was prepared for the *Outlook* of August 8 and January 30, 1908. The Board of Education of New York has added the Chairman's name to the list of lecturers for the Free Public Lecture Course. She gave an address in Washington in March, 1908, at the International Congress of Mothers; another in New Haven under the auspices of the New Haven Consumers' League and the Civic League.

Requests were sent out for reports of work done during the past year. Five answers are at hand. Mrs. Robert McVickar, Chairman of the Food Committee of the New York State Consumers' League, reports speaking at various meetings and awakening public opinion by every means possible. As Chairman of the Food Sanitation Committee of the State Federation of Women's Clubs she has brought forward the work of the joint committees. Mrs. McVickar formed a food committee at Yonkers in the Civic League where "Sanitary Maxims" have been distributed in cooking classes of the public schools. The domestic science section of the Westchester Woman's Club has formed group memberships and joined the local branch of the Consumers' League. They have co-operated with the Board of Health and called to its attention unsanitary conditions where food is sold or prepared for sale, sent out the "Sanitary Maxims," and expect to have them distributed through domestic science classes in public schools.

Mrs. William Shailer, of the New York City League, reports appealing to Health Commissioner Darlington for more rigid inspection of stores and markets and a better enforcement of law relating to exposure of foods on sidewalks and pushcarts. The committee has also complained of decaying fish and poultry sold on Ninth Avenue on Saturday nights. Systematic

investigation of stores in fifteen districts in the city has begun, each member of the committee taking one district. The aim is to induce prosperous shopkeepers to set an example of cleanliness. Mrs. Shailer reports that about fifty thousand copies of "Sanitary Maxims" have been distributed to settlements, mothers' clubs, teachers of cooking, church societies, etc. It was published in the Bulletin of the French Consumers' League and distributed at the International Conference at Geneva in September, 1908. Mrs. Shailer reports five conferences educational in purpose tendered to her committee by the Chairman of the National Food Committee. Dr. Darlington has spoken at one, as has Dr. Ira Wiley and Mr. Wilbur Phillips, Secretary of the New York City Milk Committee. These conferences have been held at Miss Bang's School, Mrs. Finch's School and Barnard College.

Mrs. J. W. Cory, of the Iowa Federation of Women's Clubs, reports fifty copies of the "Maxims" distributed, also "Suggestions to Canners," and the score card.

Mrs. B. C. Gudden, President of the Wisconsin Consumers' League, has agitated to have John Spargo's book on milk given to milkmen as "compulsory education," has written articles on sanitary maxims and score cards, for the *Courant* and other papers, and sent out copies to the branches of the Consumers' Leagues of Wisconsin. Mrs. Gudden has spoken on the work of the Food Committee and sent petitions to Congress for amendments to the food law.

Miss Lilla Breed, of the Federation of Women's Clubs of Kentucky, writes that score cards are what she has wanted as a foundation for needed work in that state. She will send copies to the Chairman of the Food Sanitation Committee of the General Federation. Since the passage of the pure food law everything waits upon the establishment of food standards. The committee are, however, hoping to bring about better sanitary conditions in markets in the state by a campaign of education through the newspapers.

Miss K. L. Trevett, Secretary of the Oregon Consumers' League, asked for copies of "Pure Food Don'ts." One hundred copies were sent. While the Chairman of the Food Committee in that state does not see her way to forming a committee, it may come later. The Chairman will use the score card. The Oregon Consumers' League has issued an excellent leaflet giving the state food law in a concise form.

Miss Welles, Secretary of the Connecticut League, has been instrumental in having a bulletin issued on "Food Labels Under the Connecticut Food Law and Some Household Tests for Adulterants in Foods," prepared by Dr. Jenkins, Director of the Connecticut Experiment Station. It is the first time that such a publication has been issued by a State Department for a food committee. The bulletins are sent out by the food committee. Miss Beach has taken the chairmanship of the New Haven committee, and their January meeting was largely attended.

The New Jersey Food Committee is awaiting the arrival of the standard slaughter-house and meat-inspection bill to secure its presentation before the Legislature adjourns. Agitation for improvement of the supply of milk has been carried on. In two towns new milk ordinances were adopted and the

adoption of licenses for all milkmen is the direct result of the committee's work. The committee has been increased by about twenty delegates of women's clubs. "Sanitary Maxims" has been given to the pupils in grammar grades of the Cranford public schools. The expense of printing the leaflet was met by Senator Colby. The score card has been approved by the New Jersey State Board of Health.

The Chairman suggests that the National Consumers' League make a study, on lines similar to those employed in examining garment factories, of material used and sanitary conditions existing in factories that are clamoring to use preservatives.

March, 1907, to March, 1908

The work of the committee has been of many kinds. In May, 1907, the People's Lobby at Washington, D. C., asked that the Consumers' Leagues send letters to President Roosevelt endorsing the decision of Attorney-General Bonaparte on labeling whiskies, and urging that the decision be upheld. This bore directly on the pure food law.

On March 19th, by request of Dr. Mitchell, Secretary of the New Jersey State Board of Health, the Chairman attended a hearing of the Senate Committee at Trenton and spoke in favor of the pending food bill. Later a bill was presented, at the request of the Chairman, by Senator Frelinghuysen, providing for inspection of slaughter houses in New Jersey. This has since been amended to include an inspection of meats.

The pure-food bill passed in New Jersey in April, 1907.

By request of the Secretary of the New Jersey State Board of Health the Chairman, accompanied by a state food inspector, visited several dairies and a slaughter house at Secaucus, back of Jersey City. With two exceptions the dairies were in a filthy condition; the slaughter house was reported at Washington, as it was doing an interstate trade. This expedition revealed that the fattening of old worn-out cows is a regular business in that section. The cows are kept tied up in low, dark, dirty sheds and fed on garbage from New York hotels. This garbage is cooked in great vats and the smell of rancid grease adds horror to the scene. One cow was lying dead in a yard. "She died from lung trouble this morning; she was all right last night," said the woman who came to meet us.

Roughly speaking, there are ten thousand dairies in New Jersey; nearly all the cows find their way finally to a slaughter house. Is it any wonder that tuberculosis is not exterminated when milk and meat come from cows kept shut up in dark, dirty stables?

The great abattoir at Jersey City, with all improvements installed since the national meat inspection law was passed, illustrates the benefits of federal inspection. Following the visit of the Chairman, a courteous letter was received from the manager of the Jersey City abattoir, asking for criticisms and suggestions.

In New York State a man was found who made a business of buying diseased cattle, killing them, removing the diseased parts and shipping the meat into New York City.

Mr. James B. Reynolds and Dr. John Huber have drafted a meat and slaughter-house inspection law, which the committee hopes to see adopted in every state not already provided with a similar law. Pennsylvania recently adopted a law similar in purpose; Massachusetts is considering one; Indiana and Michigan have such laws.

Upon invitation of the Association of State and National Food and Dairy Departments the Food Committee voted to send the Chairman as a delegate to the eleventh annual convention of the Association, at the Jamestown Exposition in July, 1907. The Chairman gave an address on the "Work of the National Consumers' League for Uniform Food Laws." Special reference was made in the program to the Consumers' League. The Chairman pledged the Food Committee to the support of a resolution on food standards, which has been sent out to all the Consumers' Leagues, asking them to act upon it.

By request of the Chicago *Record-Herald* the Chairman wrote an article on the work of the Food Committee. She also prepared one for the *Outlook*, December 3, 1907, on "The Pure Food Law." Attention is called to an appreciative article on work by the Food Committee in the bulletin of the Pennsylvania Department of Agriculture, December, 1907.

The Chairman spoke at the annual meetings in February, 1908, of the New Jersey and New York State Consumers' Leagues, and has been invited to speak in Washington, March 13, 1908, at the International Congress of Mothers.

In January, 1908, the committee was requested to read the new food law drafted for Kentucky. Mr. R. M. Allen, Chief of the Food Division of the Kentucky Experiment Station, suggested that letters endorsing the bill be sent to the Public Health Committee of the Kentucky Legislature. This was done. The bill was passed with only two dissenting votes. It is the Chairman's opinion that this Kentucky food law is the nearest approach to a model food law.

Reports from committees of the Consumers' League working for pure food are encouraging. Mrs. B. C. Gudden, President of the Wisconsin Consumers' League, will see what can be done about forming a state Food Committee. Attention throughout the state has been directed to the evils of local slaughter houses. One milk dealer has been reformed and is now clean.

Mrs. Robert McVickar, President of the New York State Consumers' League, has appointed a committee from various cities and towns. They have distributed literature. Mrs. McVickar has secured the co-operation of the New York State Federation of Women's Clubs through its pure food Chairman. A meeting of the joint committee was held at Troy during the convention of the State Federation of Women's Clubs. Mrs. McVickar presented to the convention the work of the national and state food committees. Dr. Mary T. Bissell, Field Secretary of the New York State Consumers' League, read a paper on clean milk at various meetings of the women's institutes of farmers' associations.

Mrs. R. G. Waters, of the Food Committee in California of the Con-

sumers' League, reports that the question of weights and measures is constantly agitated in Los Angeles. The City Sealer of Weights and Measures has secured evidence that customers are defrauded through short measure of milk. He condemned one carload as it did not hold the milk it was labeled to hold. A five-gallon can of milk was two quarts short; bottles, too, are short measure. The California state food law was passed shortly after the national law. Since then consumers have demanded that the label tell the truth. They have an efficient health officer, diligent in investigating. They use the newspapers to give publicity to abuses. "The law is well enforced here; the only thing to do seems to be to encourage the appointment of non-political inspectors."

Mrs. M. C. Hart, Guthrie, Okla., reports the sending out of literature. Mrs. A. G. Wright, Wisconsin, reports the same; also Mrs. Paul Doty, representing the Woman's Clubs of Minnesota for the Food Committee of the National Consumers' League.

Many women report sending the resolutions asked for from their organizations to Secretary Wilson, urging enforcement of food standards adopted or that may be adopted by the joint committees on standards of the Association of State and National Food and Dairy Commissioners and the Association of Official Agricultural Chemists. Among these are Mrs. W. H. Hood, of Reno, Nev., and Mrs. A. Herbert Arnold, of the Rhode Island State Federation. Mrs. A. B. Noyes, President of the Vermont State Consumers' League, sent out a letter to President Roosevelt as to the decision of Attorney-General Bonaparte. The state food law is working well; many things are improved, notably oysters, maple syrup and honey.

Mrs. J. W. Cory, Chairman of the committee of the Iowa State Federation of Women's Clubs, reports that Iowa women are being urged to buy labeled goods, to study bulletins issued by the Food Commissioner, and to study food prices and values. The thirteen thousand Iowa club women have been, since 1905, deeply interested in the passage and enforcement of state and national food laws. Their representatives in Congress have been urged to advocate national food standards and sufficient appropriation to enforce federal food laws. They are now at work for clean milk and clean markets. She states that your Chairman's *Outlook* article on the "Pure Food Law" has been placed in her circulating library, which is in demand among more than three hundred and thirty-four clubs.

Miss Lilla N. Breed, Corresponding Secretary of the Kentucky Consumers' League, reports hard work done for the passage of the Kentucky food law. They are also interested in securing legislation for inspection of cattle and testing dairy herds for tuberculosis. Miss Breed sent a circular letter issued by her committee, containing suggestions for practical programs. Under the titles "Bread," "Milk," "Meats," "Labels," is a list of subjects practically covering the history of manufacture or production, storage and sale of these food products, with suggestions for study of labels on food packages.

Connecticut is to have a state Food Committee; Miss Rebecca H. Beach is the new Chairman.

Mrs. William Shailer has taken charge of the Food Committee of the New York City Consumers' League. She has six active workers.

They are to hold a public meeting on March 18, 1908, in Dr. Parkhurst's church.

A Food Committee was formed in Cranford, N. J., in 1907, to arrange a food convention. Over \$200.00 was needed to defray expenses. This was raised in Cranford. The convention was held on the afternoon and evening of December 3d, in the Presbyterian church. A large audience was present, including over sixty delegates from state boards of health of New Jersey and New York, local boards of health, civic societies, and a representative from the Department of Agriculture of Pennsylvania. Dinner was served to the delegates by the women of Cranford.

The national and state food officials who addressed the convention were:

R. M. Allen, Chief of Food Division, Experiment Station, Kentucky; Dr. W. D. Bigelow, Chief of Division of Foods, Bureau of Chemistry, Washington, D. C.; Dr. William Frear, State Chemist Pennsylvania Department of Agriculture; Dr. George Goler, Health Officer, Rochester, N. Y.; Prof. Edward Voorhees, Director New Jersey Agricultural Experiment Station; Dr. J. R. Mohler, Bureau of Animal Industry, Washington, D. C. Dr. Charles Harrington, Secretary, Massachusetts State Board of Health, prepared a paper for the convention, which was read. Addresses were given by Senator J. S. Frelinghuysen, Dr. Henry L. Colt, President American Association of Medical Milk Commissions, and Dr. Louis L. Seaman, late Major-Surgeon U. S. V.

Consumers' Leagues were represented by Mrs. Cushing, President, New Jersey League; Mrs. Frederick Nathan, Vice-President National, and President New York City League; Mrs. Florence Kelley, Secretary National Consumers' League.

In several addresses the relation of bovine to human tuberculosis was clearly demonstrated.

The convention adopted resolutions on milk, slaughter-house inspection, bleached flour, etc., and voted to form a New Jersey State Food Committee. Your Chairman was elected its Chairman. She would express thanks of the committee to national and state and city food officials who traveled long distances to help the pure food cause in New Jersey. Letters and telegrams wishing success were read, including those from Senators Heyburn and McCumber. Dr. Harvey Wiley wrote: "The work of the convention was along the right lines, and I am sure will have a favorable effect upon the people, not only of your own state but on the country at large."

At the suggestion of Dr. Henry L. Colt, President of the American Medical Milk Commission, an executive council has been formed. Fifteen leading physicians in the state have consented to serve on this council. The plan is to organize a branch committee in every town. Cranford, Orange and Somerville already have chairmen appointed. This committee will work for a medical milk commission in every county, slaughter-house and meat inspection, good sanitary conditions where food is manufactured, stored or sold, and other needed improvements. The National Food Com-

mittee has adopted a sanitary score card, for the scoring of grocery stores, bakeries, etc., suggested by Dr. Crumrine, President of the Board of Health of Kansas, which has such a card.

As the Consumers' League uses a white list in mercantile establishments, why not a similar list for food establishments whose record for cleanliness is noteworthy? An effort will be made to have the scoring system adopted wherever there is a branch Food Committee.

The National Food Committee wishes to see an active Food Committee in every state, with branches in the cities and towns throughout each state. It is, after all, the consumer who controls all these conditions. Shall we exercise our privileges?

THE CONSUMERS' HEALTH BILL

A BILL FOR A LAW TO PROTECT THE PUBLIC HEALTH, BEING CHAPTER, ETC.

Section 1. In any city of the first class within this state it shall be the duty of the owner of goods, materials and merchandise to protect, as hereinafter set forth, said goods, materials and merchandise from exposure to vermin and to germs of tuberculosis, syphilis, scarlet fever, smallpox, chicken-pox, leprosy, ophthalmia, scabies, ringworm, typhoid fever and all other contagious and infectious diseases whereby said goods, materials and merchandise may subsequently become vehicles for conveying said germs among the public.

Sec. 2. In any city of the first class within this state every person, firm or corporation engaged in the manufacture of any goods, materials or merchandise shall provide wholesome workrooms and storage accommodations free from vermin and infection or contagion for all said goods, materials and merchandise in all stages and processes of manufacture, storage and preparation for sale.

Sec. 3. Whenever any person, firm or corporation or agent or manager of any corporation shall, for the purpose of completing in whole or in part any process of manufacture of any goods, materials or merchandise, take, send or permit to be taken or kept or conveyed such goods, materials or merchandise away from the principal place of business of such person, firm or corporation, or from any factory, workshop, store or place of storage, controlled in whole or in part by such person, firm or corporation, said person, firm or corporation, agent or manager of said corporation shall for the purposes of this act continue to be responsible for the healthful surroundings of said goods, materials and merchandise and for the exposure thereof to the presence of vermin and of the germs of any contagious or infectious disease exactly as if said goods, materials or merchandise had remained in said principal place of business.

Sec. 4. Whenever any goods, materials or merchandise shall be in the custody of any contractor, not the person, firm or corporation owning said goods, such contractor shall, for the purposes of this act, be deemed to be the agent of such owners.

Sec. 5. For the purpose of identification all goods, materials, or merchandise sent, taken or permitted to be conveyed away from the principal place of business of the owner of such goods, materials or merchandise, for the purpose of manufacture in whole or in part, shall first be marked by the owner with the correct full name and address of the owner printed in the English language and easily legible. In case any article is so small or otherwise of such nature that it cannot be marked as hereinbefore prescribed, such article shall be conveyed in a suitable receptacle large enough to carry

such marking, and such receptacle, so marked, shall be kept in the workroom and shall be produced and shown upon demand made by any inspector of the Board of Health, or any inspector of the State Department of Labor, and the presence of such mark shall be *prima facie* evidence of the ownership of said goods, materials or merchandise by the person, firm or corporation named on such receptacle.

Sec. 6. Any goods, materials or merchandise found in violation of the provisions of this act by any inspector of the Board of Health, or of the State Department of Labor, in any place other than the principal place of business of said owner, shall be seized by the Board of Health and fumigated or otherwise cleansed and held until such owner shall claim such goods, materials or merchandise and shall pay such reasonable fee as may be prescribed for such service by the Board of Health.

Sec. 7. Every workroom and every place used for storage to which such goods, materials, or merchandise are taken, sent or permitted to be conveyed, or in which they may be kept, away from the principal place of business of such owner, shall be subject to the same requirements as to inspection, cubic air space, light, cleanliness, ventilation and sanitation as are now prescribed by law for factories and tenant factories, and in no case shall any such workroom or place used for storage be used for sleeping by day or by night by any person, nor shall any such workroom contain any bed, sofa, couch, mattress, pillow or other furnishing adapted to the use of persons in sleeping.

Sec. 8. The word manufacture wherever used in this act shall be taken to mean any process of making, altering, repairing, sewing, sorting, drying, picking, packing, storing, dyeing or cleaning in whole or in part any article whatsoever, not for the immediate personal use of the owner, or his family.

Sec. 9. The word workroom wherever used in this act shall be taken to mean any room in which goods, materials or merchandise shall be subjected in whole or in part to any process of making, altering, repairing, sewing, sorting, drying, picking, packing, storing, dyeing or cleaning whatsoever, not for the immediate personal use of the owner, or his family.

Sec. 10. Nothing herein contained shall be construed to cancel or abridge any power or duty now pertaining to the state inspectors of factories.

All acts or parts of acts which conflict with this act are hereby repealed (specific sections to be inserted later).

Sec. 11. *Penalty.* Every person, firm or corporation, agent, manager or contractor for a corporation who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and shall for each violation pay a fine of not less than \$50 or stand committed, each day to constitute a separate violation.

Sec. 12. It shall be the duty of the Department of Health to enforce the provisions of this act.

TREASURER'S REPORT

REPORT OF CASH RECEIPTS AND DISBURSEMENTS

From January 1 to December 31, 1907

RECEIPTS

New York—

Joint appeal of the New York City and National League	\$1,203 10	
Contributions	1,675 00	
Quota	131 50	
		<hr/> \$3,009 60

Massachusetts—

Contribution for 1907	\$825 20	
Contribution for 1908	50 00	
Special contribution	25 00	
Quota	174 80	
		<hr/> 1,075 00

Pennsylvania—

Contribution for 1907	\$550 00	
Contribution for 1908	150 00	
Quota	80 00	
		<hr/> 780 00

Ohio—

Contribution	\$325 00	
Quota	63 60	
		<hr/> 388 60

New Jersey—

Contributions	\$75 00	
Quota	59 30	
		<hr/> 134 30

Maryland—

Contributions	\$25 00	
Quota	50 00	
		<hr/> 75 00

Wellesley College—

Contributions	\$50 00	
Quota	10 00	
		<hr/> 60 00

Wisconsin—

Contributions	\$20 00	
Quota	30 00	
		<hr/> 50 00

Michigan—

Quota		35 00
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Rhode Island—

Contributions	\$15 00	
Quota	14 00	
		<hr/>
		\$29 00

Oregon—

Quota		26 50
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Connecticut—

Contributions		25 00
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Kentucky—

Quota (1907 and 1908)		18 20
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Illinois—

Quota		10 60
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Delaware—

Contributions		10 00
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Maine—

Quota		10 00
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University of Wisconsin—

Quota		8 60
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Sundry receipts for printed matter, etc.....		62 98
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Total receipts during period.....	\$5,808 38	
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Cash on hand January 1, 1907.....	163 08	
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\$5,971 46

DISBURSEMENTS.

Salaries	\$3,858 12	
----------------	------------	--

Traveling expenses	110 10	
--------------------------	--------	--

Rent	336 00	
------------	--------	--

Printing and stationery	882 88	
-------------------------------	--------	--

Postage	208 20	
---------------	--------	--

Telephone	61 04	
-----------------	-------	--

Joint appeal of the New York City and National Leagues.....	201 44	
---	--------	--

Press clippings	21 09	
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Photographs	12 86	
-------------------	-------	--

Sundry small payments and office expenses.....	251 11	
--	--------	--

Total disbursements during period.....	\$5,942 84	
--	------------	--

Balance, cash on hand, December 31, 1907.....	28 62	
---	-------	--

\$5,971 46

HERBERT L. SATTERLEE, *Treasurer.*

We certify that the above is a correct statement of receipts and disbursements, from January 1 to December 31, 1907.

THE AUDIT COMPANY OF NEW YORK.

REPORT OF CASH RECEIPTS AND DISBURSEMENTS

From January 1 to December 31, 1908

RECEIPTS

<i>New York—</i>		
Special appeal	\$1,860 00	
Contributions	1,776 00	
Quota	148 49	
		<hr/>
		\$3,784 49
<i>Massachusetts—</i>		
Contributions	\$807 90	
Quota	142 10	
		<hr/>
		950 00
<i>Pennsylvania—</i>		
Contributions	\$600 00	
Quota	80 00	
		<hr/>
		680 00
<i>Maryland—</i>		
Contributions	\$135 00	
Quota	26 40	
Loan	350 00	
		<hr/>
		511 40
<i>Ohio—</i>		
Contributions	\$250 00	
Quota	67 90	
		<hr/>
		317 90
<i>New Jersey—</i>		
Contributions		105 00
<i>Wellesley College—</i>		
Contributions	\$40 00	
Quota	58 80	
		<hr/>
		98 80
<i>Connecticut—</i>		
Contributions	\$42 00	
Quota	48 60	
		<hr/>
		90 60
<i>Wisconsin—</i>		
Quota		40 00
<i>Delaware—</i>		
Contribution	\$10 00	
Quota	20 50	
		<hr/>
		30 50
<i>Rhode Island—</i>		
Contributions	\$15 00	
Quota	14 00	
		<hr/>
		29 00

Vassar College—

Quota	\$25 10
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Oregon—

Contribution	25 00
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Illinois—

Quota	10 40
-------------	-------

Individual memberships	32 00
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Rent	60 00
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Sundry receipts for printed matter, etc.....	38 71
--	-------

Total receipts for year 1908	\$6,828 90
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Cash on hand, January 1, 1909	28 62
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	\$6,857 52
--	------------

DISBURSEMENTS

Salaries	\$4,259 82
----------------	------------

Printing and stationery	721 36
-------------------------------	--------

Postage	226 71
---------------	--------

Rent	686 75
------------	--------

Telephone	42 72
-----------------	-------

Sundry small payments and office expenses	171 89
---	--------

Expenses of Congestion Exhibit	33 50
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Traveling expenses	78 80
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Payments on account of loan	100 00
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Special appeal	482 22
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Total disbursements for year 1908.....	\$6,803 77
--	------------

Balance, cash on hand, December 31, 1908.....	53 75
---	-------

	\$6,857 52
--	------------

G. HERMANN KINNICUTT,

Treasurer.

We certify that the above is a correct statement of receipts and disbursements, from January 1 to December 31, 1908.

THE AUDIT COMPANY OF NEW YORK.

DIRECTORY OF CONSUMERS' LEAGUES

THE CONSUMERS' LEAGUE OF CONNECTICUT.

STATE LEAGUE.

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